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Monday,
30th November, 1953

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

PARLIAMENT SECRETARIAT
NEW DELHI

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THE
PARLIAMENTARY DEBATES
(Part I—Questions and Answers)
OFFICIAL REPORT

Date 24.11.2014

HOUSE OF THE PEOPLE

Monday, 30th November, 1953

The House met at Half Past One of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

U.N.I.C.E.F.

*388. **Sardar Hukam Singh:** (a) Will the Minister of **Health** be pleased to state whether UNICEF has voted any further aid to India recently?

(b) If so, what is the amount of the aid voted?

(c) Is this aid voted for any specific purposes or would it be for use by India as she chooses?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) Yes.

(b) 942,000 U.S. dollars.

(c) Yes; a statement of allocations voted by the UNICEF Executive Board in September, 1953, for the various Health Development Programmes in India is placed on the Table of the House. [See Appendix II, annexure No. 53.]

The aid is for specific purposes approved by the UNICEF Executive Board and cannot be used for any other purpose without the agreement of the UNICEF authorities.

Sardar Hukam Singh: What contribution has India to make towards this scheme for receiving the aid for this work?

Shrimati Chandrasekhar: For 1953, India's contribution is Rs. 15 lakhs.

Sardar Hukam Singh: Were any special experts invited or are being invited under this scheme?

Shrimati Chandrasekhar: No, Sir. No experts have been invited for this scheme.

Sardar Hukam Singh: Is the expenditure on particular areas left to that body itself, or has the Government of India the choice to select the areas where the expenditure under this scheme can be made?

Shrimati Chandrasekhar: The proposal comes to the State Governments, who send the same to us. Then the D.G.H.S. and the Health Ministry go into all technical problems, and then if it is accepted, it is carried out.

Sardar Hukam Singh: What are the special areas that have been selected?

Mr. Speaker: We will now go to the next question.

CONFERENCE OF STATE MINISTERS

*389. **Sardar Hukam Singh:** (a) Will the Minister of **Food and Agriculture** be pleased to state whether there was a conference of State Ministers of Agriculture and Co-operation in New Delhi during the last week of September, 1953?

(b) Which States were represented by their Ministers?

(c) What were the subjects discussed and the recommendations made?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) Yes.

(b) Assam, Bihar, Bombay, Orissa, Punjab, Uttar Pradesh, West Bengal, Hyderabad, Madhya Bharat, Mysore, Rajasthan, Saurashtra, Ajmer, Bhopal, Delhi, Himachal Pradesh and Vindhya Pradesh.

(c) A large number of subjects were discussed. They are detailed in the copy of the Agenda placed on the Table of the House. [*See* Appendix II, annexure No. 54.]

The Ministers' Conference made a number of recommendations on each subject which are too numerous to be detailed. These recommendations are under examination.

Sardar Hukam Singh: May I know whether the Central Government has taken any steps or would set up any body to see that these recommendations are carried out?

Shri M. V. Krishnappa: There need not be any special body set up to see to the implementation of these recommendations. The State Governments themselves will implement these recommendations.

Mr. Speaker: The point of the enquiry was this: has the Central Government set up any body?—of course, the State Governments will do the implementation.

Shri M. V. Krishnappa: These recommendations are under the consideration of the Central Government and they will be again sent to the State Governments. and the State Governments will execute them—I mean, those schemes which are their subject; and we will directly execute whichever schemes come under our sphere.

Sardar Hukam Singh: May I know whether the recommendations include any recommendation in regard to the provision of credit facilities to the farmers who do not have the finance to carry out these things?

Shri M. V. Krishnappa: Credit facilities was one of the subjects on the agenda. It was discussed threadbare and every State Government has got its own opinion in the matter.

Shri T. K. Chaudhuri: May I know if any recommendations were made at this Conference in regard to the maximum ceilings on land-holdings and whether there was any recommendation in regard to the revision of the recommendation of the Planning Commission in this respect?

Shri M. V. Krishnappa: Yes. There was some mention about it. The consensus of opinion was that these measures would be essential in consideration of social justice but necessary safeguards should be provided to ensure that any action on the part of the State Governments in this respect does not in any way hamper agricultural production.

Shrimati Renu Chakravartty: May I know whether in this Conference anything was decided upon as to the provision of credit facilities to the share croppers who are at the present moment not entitled to any credit facilities under the State agricultural loans?

Shri M. V. Krishnappa: A copy of the subjects discussed has been laid on the Table and all the details are there.

Several Hon. Members rose—

Mr. Speaker: We will go to the next question.

परिवार आयोजन केन्द्र

*३९०. **सेठ गोविन्द दास :** क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी :

(क) सरकार द्वारा अभी तक खोले गये परिवार आयोजन केन्द्रों की संख्या क्या है ;

(ख) अक्तूबर, १९५३ तक उन पर कितना व्यय किया गया ; और

(ग) अब तक क्या सफलता मिली ?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) Three.

(b) Approximately Rs. 1½ lakhs.

(c) As these are all pilot schemes, it is far too early to assess definite results.

Seth Govind Das: May I know which are the places where these centres have been opened?

Shrimati Chandrasekhar: One at the present moment in Ramanagaram; one in the Lodi Colony in New Delhi; and one at the Lady Hardinge Medical College.

Seth Govind Das: Does the Government receive any periodical reports regarding the working of these centres?

Shrimati Chandrasekhar: Yes, we do get reports.

Shri S. V. Ramaswamy: Is there any proposal to have more of these centres; if so, how many?

Shrimati Chandrasekhar: Till we definitely get results, we are not in a position to say that we will have more of these centres.

Shri D. C. Sharma: May I know if any attempt has been made to educate the illiterate part of our population in this matter?

Shrimati Chandrasekhar: Those people who visit these centres are being educated.

BUILDING UP OF KEY PERSONNEL FOR STATE GOVERNMENTS

***391. Shri Amjad Ali:** Will the Minister of **Food and Agriculture** be pleased to state whether the Government of India have sent a questionnaire to all State Governments to indicate their requirements regarding the training of officers to man the key posts in the departments of agriculture and animal husbandry?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): Yes, Sir.

Shri Amjad Ali: May I know the particular purpose for which this questionnaire was issued and the reactions of the State Governments?

Shri M. V. Krishnappa: The main purpose was the increasing demand for officers to man these posts in various places in the country because of the schemes under the Five-Year Plan. So, we recommended to the various State Governments that while recruiting to key posts in the Departments of Agriculture and Animal Husbandry they may follow a plan, and the filling up of these vacancies should be planned ahead. We suggested that these different States should maintain a list of key posts and should submit proposals at least two years before the recruitment.

Shri Amjad Ali: What was the reaction of the State Governments to that?

Shri M. V. Krishnappa: It is too early to say. We have sent this questionnaire to all the State Governments and some have and some have not sent their reactions.

Shri Nanadas: There is no mention of the Andhra State. Am I to understand that the Andhra State has not been circularized?

Shri M. V. Krishnappa: When this Conference met, Andhra State was not in existence.

Mr. Speaker: As I said the other day, any question about the Andhra State is too premature. It need not be answered.

Shri Muniswamy: May I know the places where these officers will be trained, and the rank of the officers who are invited for such training?

Shri M. V. Krishnappa: We have different institutions in the country.

Mr. Speaker: We will go to the next question

MINOR IRRIGATION

*392. **Shri Amjad Ali:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Grow More Food Enquiry Committee had made a recommendation of an additional sum to make provision for undertaking a special programme of minor Irrigation for three years between 1952-53, 1953-54, to 1955-56;

(b) whether any sum has since been sanctioned;

(c) if so, how much; and

(d) the places (States) where they are now being utilised?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) and (b). Yes, Sir.

(c) Rs. 635·84 lakhs in 1952-53 and Rs. 627·25 lakhs in 195354 upto 19-11-53.

(d) Two statements giving particulars of the schemes sanctioned in the various States during 195253 and 1953-54 are placed on the Table of the House. [*See* Appendix II, annexure No. 55.]

Shri Amjad Ali: With reference to part (a), may I know the total amount sanctioned for this purpose?

Shri M. V. Krishnappa: It is Rs. 10 crores every year for the Plan period.

Shri Amjad Ali: For how many years will it be given?

Shri M. V. Krishnappa: For three years more.

Sardar Hukam Singh: May I know whether the various States have been asked to levy a special cess or betterment fee in order to make up the capital expenditure on these minor irrigation schemes?

Shri M. V. Krishnappa: In some cases, they are asked to levy. The position is that the State Governments will be given a loan out of these amounts. They have to pay back the loan in instalments within a period ranging from five years to fifteen years. As they have to pay back, we have asked them to levy a betterment fee or any cess according to the local convenience.

Shri T. N. Singh: May I know whether any relaxations have been made in the rules relating to the re-payment of advances made for construction of minor irrigation works?

Shri M. V. Krishnappa: Not to my knowledge.

Shri Amjad Ali: May I know the basis on which the grants are allocated to different States?

Shri M. V. Krishnappa: The question will be considered on merits. Every State's requirements are considered and scrutinised and these schemes are sanctioned.

BHADSON PROJECT

*393. **Sardar A. S. Saigal:** (a) Will the Minister of **Food and Agriculture** be pleased to state how many acres of uncultivable land have so far been reclaimed in the Bhadson Project area?

(b) In how many villages of the Project has the work of consolidation of holdings been undertaken?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) 2523 acres.

(b) 133 villages.

Sardar A. S. Saigal: May I know whether the work of consolidation is becoming more popular, or is it being opposed by the villagers?

Shri M. V. Krishnappa: It depends upon the particular cases. In some cases, where the co-operation of the villagers is more, they gladly do it. In many places the villagers are conservative and there it will be a difficult proposition.

Sardar A. S. Saigal: May I know what steps Government is taking to popularise this consolidation work in those areas?

Shri M. V. Krishnappa: By propaganda and by appealing to the villagers.

FLOOD DAMAGE

*394. **Shri Nageshwar Prasad Sinha:** (a) Will the Minister of **Communications** be pleased to state the extent ot damage to communication in the State of Bihar caused by the extensive floods, heavy down-pours and storms during the last rainy season?

(b) Has the same been restored?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Not heavy. Expenditure incurred to restore communications approximately Rs. 8,900/-

(b) Yes.

RICE

*395. **Shri K. P. Sinha:** (a) Will the Minister of **Food and Agriculture** be pleased to state whether it is a fact that there was a substantial drop in the prices of rice and other cereals in the month of September, 1953?

(b) What are the main reasons?

(c) What steps Government have taken or propose to take in order to arrest the fall in the prices of foodgrains?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) and (b). There has no doubt been a substantial drop in the prices of foodgrains in certain cases during September but this cannot be said as either abnormal or very abrupt. When the Kharif crops are good as they are this year there is always a tendency for the prices to come down during September and thereafter when the crop is harvested.

(c) Government are watching the situation and have under active consideration, measures that should be taken in the event of any abrupt fall; they do not consider any immediate steps are called for at the moment.

Shri K. P. Sinha: In which part of the country and in respect of which cereal has this drop in prices been mostly noticed?

Shri M. V. Krishnappa: This has been noticed in almost all the surplus States as well as in some parts which are surplus in deficit States, and also in all cereals: rice, maize, jowar and millets. The prices of these commodities have gone down in these two months because of the bright prospect of a good harvest and a favourable monsoon.

Shri K. P. Sinha: May I know if it is not a fact that in some parts of Bihar, these days rice is selling at the rate of Rs. 11 or Rs. 12 a maund?

Shri M. V. Krishnappa: May be true, Sir.

Shri G. P. Sinha: Will Government resort to procurement in order to maintain the economic price for grains?

Shri M. V. Krishnappa: We have not stopped procurement. We have planned for the whole year. For us the calendar year is the food year. So, for this whole year we have got procurement rates which we have fixed last year. So, every Government is at liberty to procure at the rates we had procured last year. When Government procure, the prices will go up.

Shri Heda: So far as rice is concerned, may I know if Government feel that the price of rice has fallen in any State?

Shri M. V. Krishnappa: In many places. . In a deficit State like Madras in Tanjore the price of rice has considerably fallen. There, the procurement price is Rs. 16/8 per bag of paddy, whereas the open market price had come down to Rs. 12/- about Deepavali time. Again it is going up. At Tadepalligudem in Andhra, which is an important centre of rice growing in Andhra, prices have gone down much below our procurement prices.

FIRST CLASS ACCOMMODATION

*396. **Shri Krishnacharya Joshi:** (a) Will the Minister of Railways be pleased to state whether it is a fact that first class accommodation is still being continued on some main line trains?

(b) If so, how long will it be continued?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes.

(b) First Class accommodation has been confined to only 15 trains which will also be withdrawn in due course, but it is difficult to indicate the precise period for which it will be retained.

Shri Krishnacharya Joshi: May I know the reason why First Class accommodation is continued?

Shri Shahnawaz Khan: The main reason is to cope with the requirements of the tourist traffic.

Shri S. V. Ramaswamy: With the abolition of the First Class accommodation, is air-conditioned class the highest class?

The Deputy Minister of Railways and Transport (Shri Alagesan): This question was put before. I asked the hon. Member to choose as be pleased.

Shri S. C. Samanta: Is it not a fact that tourists who are coming from outside travel in air-conditioned coaches? If so, where is the necessity to continue so many trains with first class?

Shri Shahnawaz Khan: It is because there are only ten trains in which air-conditioned accommodation is provided.

Pandit D. N. Tiwary: Is there any proposal to re-name the Classes as First, Second and Third. instead of Second, Inter and Third?

The Minister of Railways and Transport (Shri L. B. Shastri): We cannot rename the Classes because First Class is still being retained. When First Class has been completely withdrawn, we might think of renaming the Classes.

Some Hon. Members *rose—*

Mr. Speaker: Let us go to the next question.

Shri Syed Ahmed: Sufficient questions have not been put so far as this is concerned.

LOCUSTS

*397. **Shri Eswara Reddi:** (a) Will the Minister of Food and Agriculture be pleased to state how many locust swarms were sighted during the month of September, 1953?

(b) Is it a fact that in spite of control operations being in full swing, many swarms escaped destruction?

(c) Is it a fact that conditions for second generation breeding of locusts are suitable in several areas?

(d) What effective control measures do Government propose to take against locust invasion?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) About thirty swarms.

(b) No.

(c) Conditions were favourable in September and October. Since then it has been too cold for second generation breeding.

(d) There is an adequate Central Anti-Locust Organisation in the desert areas of Rajasthan, PEPSU, Saurashtra, Bombay and Kutch. All other vulnerable States have also their Anti-Locust Organisations. A statement showing the steps being taken by Government to fight the menace is placed on the Table of the House. [*See* Appendix II, annexure No. 56.]

Shri Eswara Reddi: May I know the acreage infested by locust swarms during this year and last year and the extent of damage done to crops?

Shri M. V. Krishnappa: The Locust swarms come in Rajasthan desert. It is very difficult to calculate the acreage, because they move from place to place. We have been able to combat the whole locust swarm that entered India, and there is nothing left. If they have come from outside, they can be located.

Shri Muniswamy: May I know whether the attention of the Government was drawn to the fact that there was a sudden attack of these insects in Tamil Nad, especially in Chingleput and South Arcot Districts, and if Government's attention was not drawn, will the Government take immediate steps to investigate the matter?

Shri M. V. Krishnappa: I have no information, Sir. If the hon. Member wants, I will do the latter.

Shri Gidwani: Is it a fact that the employees who are employed by this Locust Department are without work for more than six or seven months in the year?

Shri M. V. Krishnappa: Only when there is necessity for it in the peak period of the year, we recruit our staff. Otherwise, mostly the permanent staff will remain. Naturally, when locusts come, they will have much work, and when there is no locust, we cannot ask them to spray insecticides on the desert.

Shri Eswara Reddi: Is it a fact that acreage infested by locusts this year has increased five-fold in Rajasthan compared to the previous year?

Shri M. V. Krishnappa: This year they were on the increase. The beginning of last year they came from Pakistan, and this year also. It started from May. Until September we killed all the locusts, but in September some of the locusts came from Pakistan area, and they were about two dozen in number, and we were able to kill even those locusts.

COMPULSORY RETIREMENT

*398. **Shri Gidwani:** (a) Will the Minister of Communications be pleased to state whether it is a fact that a Sub-Inspector of Telephones, Bombay District, was made to retire compulsorily from Service by the Superintendent of Telephones, Bombay District, under the Central Services (Safeguarding of National Security) Rules?

(b) Is it a fact that the Bombay High Court has set aside the order passed by the Superintendent of Telephones, Bombay?

(c) Have Government issued any instructions in the matter for future guidance in such matters?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes.

(b) Yes.

(c) The Government of India are issuing suitable instructions for future guidance.

Shri Gidwani: Is it a fact that the Sub-Inspector was served with a notice by Shri D. C. Dey, Superintendent of Telephones, Bombay, that he was a member of the Communist Party and associated with others in subversive activities in such a manner as to raise doubts about his reliability, and the charge was denied orally and in writing and representations made by the Sub-Inspector?

Shri Raj Bahadur: The notice was issued and the charge was denied, but in the opinion of the officer concerned the charge was substantially substantiated, and as such the official was asked to retire. The writ application has been accepted by the High Court on a technical ground.

Shri Gidwani: Is it a fact that Mr. Justice Desai, in his order, had stated that compulsory retirement was too drastic a measure, that the elements of justice demanded that there must be strict compliance with the rules, and that there was nothing in the record to show that the competent authority was satisfied that the retention of the petitioner in service was prejudicial to national security?

Shri Raj Bahadur: That is an expression of opinion. It stands to reason that if any employee in Government service chooses to participate actively in the activities of any political organisation, he shall better retire rather than remain in service and violate the rule which is incumbent on all Government servants to follow.

Shri Gidwani *rose—*

Mr. Speaker: I am going to the next question.

Shri Gidwani: Just one more question, Sir.

Mr. Speaker: I do not think we should pursue individual questions.

Shri Gidwani: Is it a fact..........

Mr. Speaker: Order, order. There seems to be no question of principle involved.

Shri Gidwani: There is one other question.

Mr. Speaker: This question itself relates to an individual.

Shri Punnoose: It is a very important question, Sir.

Mr. Speaker: I do not think it is important at all.

Shri Gidwani: Just one question, Sir..............

Shri H. N. Mukerjee: Are we not entitled to find out from Government............

Mr. Speaker: Order, order. Shri Gidwani.

Shri Gidwani: Is it a fact that Mr. Justice Desai had ordered the respondent, Shri Dey, and the Union of India, to pay Rs. 600/- as cost to the petitioner?

Shri Raj Bahadur: I would refer the hon. Member to the judgment itself. I might repeat that the application has been allowed on a mere technical ground, in so far as, in the opinion of Mr. Justice Desai, the authority competent to issue that notice had not issued that notice. A subordinate authority had issued that notice, and that was the only technical point on which the application has been allowed.

Mr. Speaker: The hon. Member Shri H. N. Mukerjee wanted to raise some objection or some point. What was it?

Shri H. N. Mukerjee: My point was that it arose out of the answer given by the hon. Deputy Minister. It was in relation to the judicial determination of a particular case, where by implication the hon. Deputy Minister is reflecting upon the conduct of the judge concerned.

Shri Raj Bahadur: Not at all.

Mr. Speaker: I do not think by merely explaining that the appeal has been accepted on a technical ground, any reflection is involved. The High Court has been mentioned, otherwise the question would not have been accepted, as referring to an individual case.

SUPPLY OF FOODGRAINS TO BOMBAY

***399. Shri Dabhi:** Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of each kind of foodgrains supplied so far to the Government of Bombay from the Central Pool during the year 1953;

(b) the prices at which each kind of foodgrains was supplied;

(c) what quantity of each kind of foodgrains has been allotted to the Bombay Government for the year 1953; and

(d) what was the actual demand from the Government of Bombay?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) During the period 1st January to 7th November, 1953 the latest date upto which full data are available

Bombay was supplied the following quantities of foodgrains:

Rice	99,000 tons.
Wheat	414,000 tons.
Other Grains	144,000 tons.
TOTAL	657,000 tons.

(b) Statements showing the prices of foodgrains supplied to Bombay from other States and those of Overseas grains are laid on the Table of the House. [*See* Appendix II, annexure No. 57.]

(c) Allocations of foodgrains to Bombay during 1953 have so far been:

Rice	129,000 tons
Wheat	405,000 tons.
Other Grains	161,000 tons.
TOTAL	695,000 tons.

(d) The demand as revised to date is:

Rice	175,000 tons.
Wheat	450,000 tons.
Other Grains	275,000 tons.
TOTAL	900,000 tons.

Shri Dabhi: May I know why the full demand of the Bombay Government was not met?

Shri M. V. Krishnappa: According to our experience, the State Governments, to be very cautious under-estimate their surplus and over-estimate their deficiency, at the beginning of the year, and demand more foodgrains from us. At the end of the year, they revise the calculations. so that they would have drawn only 50 per cent. of their original demand placed at the beginning of the year. So, whenever any State Government demand more from us, taking into consideration the conditions existing in that particular State, we give them less, because they would not be in a position to lift the whole allotment.

Shri Dabhi: May I know whether it is not a fact that not meeting the full demand made by the Bombay Government was the reason for not discontinuing rationing in small towns in the Bombay State?

Shri M. V. Krishnappa: No. They have got enough foodgrains with them. At this time of the year, they have got 45,000 tons of rice, about 1 lakh of tons of wheat, and about 35,000 tons of maize. We are prepared to give them any amount they want. It is not because they are short of foodgrains that they have decontrolled. It is because they have more foodgrains that they have decontrolled.

SHORT SUPPLY OF WAGONS

***400. Shri Dabhi:** Will the Minister of Railways be pleased to state:

(a) whether Government's attention has been drawn to a letter from the special correspondent of the *Hindustan Times* under the heading "No more Railway Bottlenecks—criticism not based on facts" wherein it is stated that "in some areas Railways are just at present actually looking for traffic and official quarters feel that most of the complaints made regarding transport are not related to facts";

(b) if so, whether the above state of affairs exists on the Western Railway also; and

(c) if not, what effective steps Government have taken or are going to take to see that there is no short supply of wagons on the Western Railway also?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) On the Western Railway the movement of traffic is more or less current on all sections except that from Broad Gauge to Metre Gauge *via* Sabarmati and *via* Viramgam and timber traffic from Tapti-Valley section and from narrow gauge sections to stations on the broad gauge.

(c) It is not a case of short supply of wagons but of inadequacy of line and transhipment capacity. Proposals are in hand for increasing the line capacity of the Tapti-Valley Section and the transhipment capacities at Sabarmati and Viramgam by remodelling their yards and providing more cranes, and at the narrow gauge to broad gauge transhipment stations, by providing cranes.

Shri Dabhi: What is the present position of wagon supplies in Gujerat? Is it likely to improve in the next year or not?

Shri Alagesan: Even the present position is very satisfactory. With regard to the broad gauge, the outstandings are not more than 2½ days' loading for the Western Railway as a whole; on the metre gauge, the outstandings are not more than 1½ days' loading. That shows the position is quite satisfactory, and they are able to meet the demands currently.

Shri Barman: May I know what the present position is on the North Eastern Railway? A few days ago, the hon. Minister stated that there was difficulty about the wagon supply.

Shri Alagesan: I cannot give a very specific reply to that.

Shrimati Renu Chakravartty: Are Government aware of the strong indictment of the Railways, that has been made by the Federation of Indian Chambers of Commerce and Industry, in regard to the railway bottleneck, in today's papers, and may I know whether Government have reviewed the position, after the integration of the railways?

Shri Alagesan: I have not seen the report that the hon. lady Member refers to.

Mr. Speaker: Perhaps, the hon. Minister has no time.

EMPLOYEES' STATE INSURANCE CORPORATION

***401. Shri Gidwani:** Will the Minister of Labour be pleased to state:

(a) whether it is a fact that members of the Employees' Insurance Union held a demonstration and a public meeting in Delhi on the 26th September, 1953, protesting against the working of the Employees' State Insurance Corporation, and demanded early provision of sickness, maternity, and disability benefits to the workers and the setting up of a Regional Board for the supervision of medical facilities;

(b) whether Government have considered these demands; and

(c) if so, what their decision is?

The Minister of Labour (Shri V. V. Giri): (a) A few workers most of whom belonged to Presses held a meeting on the 29th September, 1953 and passed some resolutions about the working of the Employees' State Insurance Scheme.

(b) and (c). Most of the items mentioned in the resolutions were already under the consideration of the Employees' State Insurance Corporation. Endeavour is being made to make such improvements in the working of the Scheme as are possible. A tripartite Regional Board of the Employees' State Insurance Corporation is functioning at Delhi, and steps are being taken by the Corporation to reconstitute the Board to make its working more effective. The Employees' representation on the reconstituted Board will increase from two to five.

Shri Gidwani: Have Government considered the proposal in regard to the granting of old age pensions?

Shri V. V. Giri: That does not arise out of this question.

UNAUTHORISED TRANSMITTER IN DELHI

***402. Shri Gidwani:** (a) Will the Minister of Communications be pleased to refer to the reply given to short notice question No. 163 asked on the 18th September, 1953 and state whether the inquiry into the recovery of the transmitter set in Delhi has been completed?

(b) If so, what are its findings?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). Yes. The case is now before the court.

Shri Gidwani: Are Government aware that there are elements in this country, that are maintaining liaison with elements in Pakistan still?

Shri Raj Bahadur: Government would expect more specific information from the hon. Member, if he has got any in his possession.

COMMITTEE FOR LAND REFORMS

*403. **Shri Gopala Rao**: (a) Will the Minister of **Food and Agriculture** be pleased to state whether the Central Government have constituted a Committee for land reforms as recommended by the Planning Commission?

(b) If so, what are its functions?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) Yes.

(b) A statement is laid on the Table of the House. [See Appendix II, annexure No. 58.]

Shri Gopala Rao: The various functions of the Committee are mentioned in the statement. May I know whether this Committee have gone through the various measures enacted by the State Legislatures, on this tenancy problem?

Shri M. V. Krishnappa: That is actually one of their duties. This Committee is meant for the purpose of ensuring a certain amount of uniformity and co-ordination in regard to the various measures that are enacted by the State Governments, which vary from State to State. Before any legislation on tenancy reform is sponsored by the State Governments, it is sent to this Committee for approval, and the opinion of this Committee is taken into account, before the measures are enacted.

Shri Gopala Rao: It is stated that the Committee met four times. May I know whether the measures taken by the State Governments vest proprietary right in the tenants?

Shri M. V. Krishnappa: That is a matter of detail. The hon. Member might address the question to the Planning Commission, who are in charge of the details.

Shri Gopala Rao: One of the functions of the Committee is to maintain continuous study of problems relating to the ownership, management, cultivation and distribution of land......

Mr. Speaker: The hon. Minister has stated that it would mean going into too much of details with which he is not conversant, at the moment.

Shri M. V. Krishnappa: That question should properly be addressed to the Planning Commission.

Shri Nanadas: May I know whether the decisions taken or the suggestions made by this Committee are obligatory or recommendatory, on the different States?

Shri M. V. Krishnappa: They are both recommendatory and obligatory.

MASTER COMMITTEE'S RECOMMENDATIONS

*404. **Shri T. B. Vittal Rao**: (a) Will the Minister of **Communications** be pleased to state the main recommendations of the Master Committee regarding the training and absorption of the Indian commercial pilots holding the 'B' Licence?

(b) What action do Government propose to take to implement these recommendations?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) I lay on the Table a statement showing the chief recommendations made by the Master Committee. [See Appendix II, annexure No. 59.]

(b) The Report is now under examination of the Government and decisions are expected to be reached shortly.

Shri T. B. Vittal Rao: May I know, Sir, when the report was submitted to

Government, and the reasons for this long delay in the consideration of that report?

Shri Raj Bahadur: The final report, which includes the minute of dissent by Mr. T. P. Bhalla, was submitted as late as towards the end of April.

Shri T. B. Vittal Rao: May I know if it is in the contemplation of Government to reduce the flying hours to be flown by a pilot, with a view to absorbing unemployed pilots?

Shri Raj Bahadur: That is a separate question. The report deals with the organisation of civilian pilots and the organisation of the training of C.A.C. at Allahabad and the general question of the training of civilian air pilots.

Shri G. P. Sinha: What is the number of unemployed civilian air pilots?

Mr. Speaker: It is not within the scope of the question.

OVERTIME PAY OF BOMBAY PORT TRUST WORKERS

***405. Shri Punnoose:** Will the Minister of **Transport** be pleased to state whether it is a fact that the overtime pay of the Bombay Port Trust Workers for the month of August, 1953 was not paid upto the end of September, 1953?

The Deputy Minister of Railways and Transport (Shri Alagesan): Consequent on the application of the benefits under the Minimum Wages Act with retrospective effect, the amounts of overtime allowance for August 1953 to the Shore and Flotilla crews which would normally have been paid between the 20th and 24th September, 1953, had to be recalculated. Payments were made on the 1st October, 1953 and the delay of about a week in drawing up fresh pay-sheets was accepted by the Labour Union concerned.

Shri Punnoose: What were the special circumstances under which the August over-time pay had to be delayed?

Shri Alagesan: Sir, as I said the pay-sheets were calculated on the basis of 1½ times over-time allowance. After accepting the Minimum Wages Act and the Rules, it had to be calculated on the basis of twice the pay, and the delay was caused because of that. The Labour Union represented that they would not mind the delay and that they may be paid after re-calculation.

Shri Punnoose: May I know whether the Government is aware of the fact that meetings were convened and resolutions were passed by the workers that this over-time has to be paid before the 30th September, otherwise they would go on strike?

Shri Alagesan: No, Sir. In fact, as I said, the president of the union himself represented that they will tolerate the delay.

Shri Punnoose: May I know whether any compensation was paid to the workers for this delay and trouble they have had to undergo?

Shri Alagesan: No compensation need be paid, Sir.

BOMBAY PORT TRUST EMPLOYEES

***406. Shri Punnoose:** Will the Minister of **Transport** be pleased to state:

(a) the working hours of the Bombay Port Trust employees in each working day; and

(b) the rate at which the Port Trust authorities pay for overtime work to these workers?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) A statement giving the required information is laid on the Table of the House. [*See* Appendix II, annexure No. 60.]

(b) Overtime allowance to the employees governed by the Minimum Wages Act or the Factories Act is paid at the statutory rates, *viz.* at double the rate of total wages. Overtime allowance in other cases is paid at 1½ times the basic pay, except in the case of certain categories of staff, predominantly supervisory, who are paid at the single rate.

Shri Punnoose: Are Government aware that the workers have demanded or are demanding double the rate of wages for the work they did beyond 9 hours of work—that is for overtime work?

Shri Alagesan: It has been arranged that the work does not exceed 9 hours per day in almost all the cases.

Shri Punnoose: My question is when they have to do over-time over and above the 9 hours, was there a demand that they should be paid at double the rates of wages?

Shri Alagesan: In fact, it has been accepted that when they work overtime they would be paid at double the rates and the Bombay workers are going to be paid with retrospective effect from 15th March, 1951 and the bill comes to about 75 lakhs.

BRIDGES ON NATIONAL HIGHWAYS

***407. Shri S. C. Samanta:** (a) Will the Minister of **Transport** be pleased to state whether the survey work to bridges over the rivers Damodar, Rupnarain and Kosai on the National Highways has begun and if so, when?

(b) How long will it take to complete the survey work?

(c) What is the estimated cost of the construction of these bridges?

(d) What facilities are to be derived by these bridge constructions?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). A statement giving the information required is laid on the Table of the House. [*See* Appendix II, annexure No. 61.]

(d) The construction of these bridges will facilitate through and un-interrupted road communication along National Highway No. 6 between Calcutta and Kharagpur *en route* Bombay and Madras.

Shri S. C. Samanta: May I know whether these bridges will pass through the sites where there are ferries and boat bridges?

Shri Alagesan: I do not know exactly the sites. I can find out where they are being built.

Shri S. C. Samanta: Is it not a fact, Sir, that during the last war the military vehicles used to pass the Roopnarain river through the Kolaghat Railway bridge in the vicinity of which a bridge is going to be constructed? May I know whether Government have in contemplation to turn that Railway bridge into a rail-*cum*-road bridge?

Shri Alagesan: No, Sir, we are building separate bridges.

Shri N. M. Lingam: May I know whether the Government is going to levy any tolls on these bridges in order to meet the cost of construction?

Shri Alagesan: These are provided in the Five-Year Plan; we are not considering the question of any tolls

ANTI LOCUST OPERATIONS

***409. Shri C. R. Chowdary:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether there is co-ordination and co-operation between the countries where Locust breeding is found in the matter of anti Locust Operation;

(b) whether any negotiations were made in this direction with those countries; and

(c) if so, the result thereof?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) Yes.

(b) and (c). A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 62.]

Shri C. R. Chowdary: May I know whether any plan for carrying out these locust operations has been agreed upon?

Shri M. V. Krishnappa: Early this month we sent one of our representatives to the International Conference held at Damascus and there they discussed how to combat this menace, the common enemy of all these Middle-East countries, and they arrived at certain conclusions, according to which we have to send one of our representatives with two plans—I do not exactly remember—to combat these there itself.

Shri C. R. Chowdary: May I know whether any plan has been agreed upon by the countries assembled at Damascus?

Shri M. V. Krishnappa: The plan agreed upon was to combat the locusts there itself and not to allow them to come here from Pakistan.

Shri C. R. Chowdary: What was the Plan?

Shri M. V. Krishnappa: The plan was to combat the locust menace.

DOCTORS ON THE CENTRAL RAILWAY

*410. **Shri T. B. Vittal Rao:** Will the Minister of **Railways** be pleased to refer to the reply given to starred question No. 1762 asked on the 1st May, 1953, and state:

(a) whether Government propose to increase the number of doctors on the Central Railway; and

(b) whether the sites for the location of the two T.B. hospitals proposed to be constructed for the benefit of Railway employees have since been selected?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) A planned Scheme for the expansion of medical facilities on Indian Railways is under consideration. This expansion programme will be spread over a period of 5 years and is likely to increase the number of doctors on the Central Railway and also on other railways.

(b) The decision to build two T.B. Hospitals exclusively for railwaymen was reviewed in May, 1953 and Government have now decided that annexes to the existing Sanatoria in the country should be built exclusively for the use of railwaymen.

Shri T. B. Vittal Rao: May I know, Sir, when this construction will be taken up, as it has been under the consideration of Government for well over two years?

Shri Shahnawaz Khan: As I have said before, the original idea was to build two T.B. hospitals. That idea has been given up and the idea now is to have a number of annexes to the existing sanatoria throughout the country.

Mr. Speaker: He wants to know when that will be taken up.

Shri Shahnawaz Khan: A team of two officers is going round the country to find out suitable sites and their report is expected soon.

Mr. Speaker: Suitable institutions.

Shri Sarangadhar Das: May I know the total number of beds in these hospitals?

Mr. Speaker: There are no hospitals. Now, it is only a question of adding annexes. If it is a question of beds in these annexes, it is a different matter.

Shri Shahnawaz Khan: That question is under examination, Sir.

Shri T. B. Vittal Rao: May I know the reasons for having a lesser number of doctors on the Central Railway as compared to other zones?

Shri Shahnawaz Khan: The hon. Member is probably basing his question on the information which was supplied on a supplementary question in the last session. Actually the information supplied was later on discovered to be inaccurate. The accurate information available now is that it is practically the same as for other railways.

RAW JUTE

*412. **Shri L. N. Mishra:** (a) Will the Minister of **Food and Agriculture** be pleased to state the price of raw jute at the mill gate in the months of September, October and November, 1953?

(b) What was the price received by the growers for raw jute during these months?

(c) Is this price considered to be economic?

(d) If not, what measures have Government taken or propose to take to give relief to the cultivators?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) Raw jute is not usually sold at the mill gate and, therefore, the required data are not available. However, a statement (I) giving the week-end prices of raw jute in the Calcutta market for the months of September and October and available information for November, 1953 is placed on the Table of the House. [*See* Appendix II, annexure No. 63.]

(b) Another statement (II) giving the average prices of unassorted jute during September and October 1953 as received by the cultivators at certain selected centres is placed on the Table of the House. Similar data for November, 1953 are not yet available.

(c) In the absence of adequate and accurate data bearing on the cost of production of jute on a continuous basis for the representative areas in the jute growing States, it is not possible to say with any definiteness whether the prices offered for raw jute during the last three months have been economic. In a general way, however, it can be said that the prices have not been un-economic.

(d) Does not arise.

Shri L. N. Mishra: From the statement it appears that the price offered to the growers comes to Rs. 15-12-0 per maund and the price offered by the mills comes to Rs. 25 per maund. May I know, Sir, the reason for this big gap in the two prices?

Shri M. V. Krishnappa: Where is it stated as Rs. 15-12-0?

Shri L. N. Mishra: That is the average price.

Shri M. V. Krishnappa: It is not given here, but it is calculated by the hon. Member himself.

Shri L. N. Mishra: May I know, Sir, whether the Expert Committee appointed by the Agriculture Ministry said that price is a major thing in the cultivation of jute? If so, do Government propose to provide an economic price to the growers?

Shri M. V. Krishnappa: Yes. In the beginning of the year when there was a slump, there was no question of the price of jute. The price of jute is determined by external factors, the demand for it in the foreign markets and the supply question in Pakistan etc. We thought it was better to improve the quality of our jute, and to improve the quality of the jute, this Expert Committee was appointed. They casually said—although it was not one of the terms of reference—that price also determines the quality of the jute.

Shri L. N. Mishra: May I know the recommendations of this Expert Committee that the Government wish to implement?

Shri M. V. Krishnappa: That has been answered on the floor of the House last week.

Shrimati Renu Chakravartty: In view of the statement of the Expert Committee that price is also an important question, may I know, Sir, whether Government has any machinery to determine the economic price of jute?

Shri M. V. Krishnappa: Yes, they have got. It is the Central Jute Committee that is going into this question.

Shri Gopala Rao: May I know, Sir, in view of the satisfactory position of the export of jute goods, whether Government is prepared to see that a proper price is given to raw jute cultivators?

Shri M. V. Krishnappa: We want always to give proper prices to cultivators.

ELECTION CONTEST BY EXTRA-DEPARTMENTAL STAFF

***413. Pandit D. N. Tiwary:** Will the Minister of **Communications** be pleased to state:

(a) whether Government have considered the question of allowing the extra-departmental staff of the postal department to contest the village panchayat and other elections; and

(b) if so, what decision has been taken?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). The matter is under consideration.

Pandit D. N. Tiwary: What type of Government servants are they and by what rules are they governed?

Shri Raj Bahadur: They are not whole-time Government servants. They are not governed by the Classification, Control and Appeal Rules, nor by the Subordinate Services Rules nor by the Government Servants Conduct Rules. but this matter is essentially one within the scope and functions of the Ministries of Home Affairs and of Law, to which, I think, the question should be referred

Pandit D. N. Tiwary: By what time will the matter be considered?

Shri Raj Bahadur: No positive date can be rigidly fixed.

REPRESENTATION BY NELLORE DISTRICT PASSENGERS' ASSOCIATION

***414. Shri Nanadas:** (a) Will the Minister of **Railways** be pleased to state whether any representation has been made by the Secretary, Nellore District Railway Passengers' Association for (i) extending train No. 33 running between Kakinada and Bitragunta upto Gudur, and (ii) to change the timings of trains Nos. 27 and 28?

(b) If so, what action has been taken in the matter?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes.

(b) The suggestions made were duly examined but it has not been found feasible to implement them.

Shri Nanadas: May I know, Sir, the difficulties involved in extending train No. 33 up to Gudur?

Shri Shahnawaz Khan: The main difficulty is operational difficulty, and so it is exceedingly difficult to extend the train from Bitragunta to Gudur. There are no terminal facilities e.g. for turning round the engines.

Shri Nanadas: May I know whether in view of the passing traffic there, there is no justification for making Gudur the terminal station for train No. 33?

The Deputy Minister of Railways and Transport (Shri Alagesan): It depends upon the convenience of the section which the trains are serving at present. The timings at present are convenient, but if it is extended upto Gudur, then it will become inconvenient to the other sections.

Mr. Speaker: We need not go into details here.

PALM *GUR* INDUSTRY

***415. Shri Nanadas:** Will the Minister of **Food and Agriculture** be pleased to state what are the facilities provided by the Central Government to the palm *gur* industry?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 64.]

Shri Nanadas: The statement says that the Government of India incur 50 per cent. of the expenditure on the schemes of the State Governments regarding the Palm Gur industry. May I know. Sir, how this 50 per cent. is incurred and through what agency?

Shri M. V. Krishnappa: State Governments are asked to submit their scheme to encourage the Palm Gur industry and all these schemes will be considered and then an estimated scheme will be sanctioned, out of which the Government of India meet 50 per cent. and the State Governments 50 per cent.

Shri Nanadas: May I know, Sir, the steps taken by the Government to publicise the nutritive value of palm gur in this country and in the importing countries also?

Shri M. V. Krishnappa: We have got a magazine called the "Tad Gur Khabar" and every month we write articles about palm gur in order to publicise its nutritive value.

Shri Thimmaiah: Do Government give or will they give any financial aid to the States to develop the Palm Gur industry?

Shri M. V. Krishnappa: Yes, we have given. The figures are—

In 1949	...	Rs. 52,000
1949-50	...	Rs. 3,44,000
1950-51		Rs. 5,52,000
1951-52	...	Rs.41,43,000
1952-53	...	Rs. 5,30,000

These amounts were given to the various States for developing the Palm Gur industry.

Shri Nanadas: I wanted to know how the nutritive value of palm gur is publicised in the importing countries. We are exporting our palm gur to other countries and I want to know how its nutritive value is publicised there.

Shri M. V. Krishnappa: I think the Editor of the "Tad Gur Khabar", while inviting articles, will invite from outside countries also.

Mr. Speaker: Do we first of all export palm gur?

Shri M. V. Krishnappa: I have no information, Sir.

RECRUITMENT OF CLERKS IN P. & T. DEPARTMENT

***418. Shri Muniswamy:** (a) Will the Minister of **Communications** be pleased to refer to the reply given to starred question No. 1198 and the supplementaries thereon asked on 10th September, 1953 and state whether Government have issued orders doing away with the recruitment examination for appointment as clerks in the P. & T. Department?

(b) If so, by what means selection to such appointments will be made in future?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes.

(b) Selection of candidates in each Circle will be made by a Board on the basis of marks obtained by the candidates in the Matriculation or its equivalent examination. Some weightage in marks will be given to candidates with higher qualifications.

Shri Muniswamy: May I know, Sir, when that circular was issued and whether it was issued to the State Governments?

Shri Raj Bahadur: The circular was not issued to the State Governments It was issued on the 20th September 1953 to the heads of the postal circles.

Shri Thimmaiah: May I know, Sir, whether the P. & T. Department has observed strictly the Home Ministry order in the matter of reservation of appointments for the Scheduled Castes and Tribes?

Shri Raj Bahadur: I am afraid, we have not been able to do so.

Shri Kelappan: May I know, Sir, if recruitment is made direct to the Upper Division?

Shri Raj Bahadur: Yes, Sir, Upper Division posts are filled by direct recruitment also.

Shri Muniswamy: May I know, Sir, whether those people who are already acting as clerks will be retained as clerks or reverted to their old posts?

Shri Raj Bahadur: That is a separate question and for that rules exist.

AIR ROUTE TO KABUL

***419. Th. Lakshman Singh Charak:** (a) Will the Minister of **Communications** be pleased to state whether any team of officers was sent to Kabul recently to investigate the latest position regarding a direct flight to Kabul?

(b) Who were the officers sent for the purpose?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes. Sir.

(b) I lay on the Table of the House a statement giving the requisite information. [*See* Appendix II, annexure No. 65.]

Th. Lakshman Singh Charak: May I know. Sir, if the efforts of officers in finding out a shorter route to Kabul have been successful? If so. what would be the distance between India and Kabul?

Shri Raj Bahadur: They were successful long before and the air service is already in operation.

Th. Lakshman Singh Charak: What is the air distance at present?

Shri Raj Bahadur: It has been reduced considerably, but I cannot give the exact distance now.

GOLD MINE WORKERS

***420. Shri Thimmaiah:** (a) Will the Minister of **Labour** be pleased to state whether the Minimum Wages Act has not been made applicable to the Gold Mines?

(b) If so, do Government propose to consider the question of applying welfare measures, as have been done in the Coal Mines?

The Minister of Labour (Shri V. V. Giri): (a) The Minimum Wages Act is primarily intended to afford relief to sweated and unorganised labour. As labour in gold mines does not suffer from this handicap, it was considered unnecessary to bring it within the scope of the Act.

(b) This question was recently considered. In view of the welfare measures voluntarily undertaken by the owners of Gold mines, it was considered unnecessary to start a statutory scheme of welfare financed through a cess, especially as the strength of labour was only 24,000.

Shri Thimmaiah: In view of the assurance given during the budget session in answer to a starred question of mine that the Minister would examine the question of enforcing the Minimum Wages Act in the K.G.F. area. I would like to know whether he has examined the question. and, if so, with what result?

Shri V. V. Giri: We found that it is not necessary to put it into effect.

Shri Thimmaiah: Is the Government aware of the fact that clerks working in the K.G.F. are getting salaries equivalent to that of the Class IV employees of the Central Government?

Shri V. V. Giri: I take the information.

Shri T. B. Vittal Rao: May I know. Sir. what are the welfare measures undertaken by the K.G.F. management?

Shri V. V. Giri: The Labour Investigation Committee found that labour welfare measures such as medical, educational and recreational facilities were provided by the employers.

Shri Nanadas: May I know the reasons for not extending the Minimum Wages Act to the Kolar Gold Mines?

Shri V. V. Giri: There are trade unions of a powerful kind which will be able to negotiate with the employers and the workers and the workers will he in a better position to get better wages under those circumstances.

NATIONALISATION OF AIR SERVICES

***422. Shri Bhagwat Jha:** (a) Will the Minister of **Communications** be pleased to state the effect of nationalisation of air services on the traffic in passengers and goods carried by the different lines?

(b) How do the figures in the month of August compare with that immediately after nationalisation in July 1953?

(c) Is there any line on which traffic either in passengers or in goods has decreased?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) There has been no appreciable effect on air traffic.

(b) There were no significant variations apart from the normal seasonal variations.

(c) In Line 4 (formerly M/S. Indian National Airways Ltd.) there was some fall in passenger traffic during August compared to the figures for July.

श्री भगवत झा : एयर सर्विसेज के राष्ट्रीयकरण के फलस्वरूप पिछले तीन महीनों में माल तथा यात्रियों की ट्रैफ़िक पर क्या असर पड़ा है ?

श्री राज बहादुर : अभी जवाब दिया है कि इतने थोड़े अर्से में इस बारे में कोई खास फिगर्स वर्क आउट करना या आंकड़े बताना सम्भव नहीं है ।

श्री भगवत झा : मंत्री महोदय ने पार्ट सी० के जवाब में कहा कि पैसेंजर ट्रैफ़िक में पिछले तीन महीनों में अवनति हुई है, मैं जानना चाहता हूं कि इस डिक्लाइन का कारण क्या है ?

श्री राज बहादुर : पैसेंजर ट्रैफ़िक में गिराव आने के कारण सीज़नल वैरिएशन्स है यानी मौसम के मुताबिक पैसेंजर ट्रैफ़िक के चलने में परिवर्तन हो जाता है ।

सेठ गोविन्द दास : राष्ट्रीयकरण से पहले जो इन भिन्न भिन्न कम्पनियों में माहवारी खर्च था, उस में अब कमी हो गई है या और ज्यादती हो गई है ?

श्री राज बहादुर : यह अभी नहीं बताया जा सकता ।

"NEVER HUNGRY" GIRL

***423. Shri Bhagwat Jha:** (a) Will the Minister of Health be pleased to state whether it is a fact that the Government of India have undertaken to get Coorg's 'never hungry' wonder girl examined?

(b) What is the amount sanctioned for this examination?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) Yes

(b) Rs. 1,200.

Shri Bhagwat Jha: May I know, Sir, what is the result of the examination?

Shrimati Chandrasekhar: We have just recently received a report from the Director of Medical Services, Mysore, wherein he concludes that she is a normal person and there is no need for undertaking any other examination.

Shri Bhagwat Jha rose—

Mr. Speaker: This question need not be discussed on the floor of this House. Next question.

Shri Bhagwat Jha: What the Minister said was wrong. I wanted to verify....

Mr. Speaker: Order, order. Next question.

ज्वार

*४२५. **श्री रघुनाथ सिंह :** (क) खाद्य तथा कृषि मंत्री यह बतलाने की कृपा करेंगे कि क्या मद्रास सरकार के कृषि विभाग ने एक ऐसी किस्म के ज्वार का पता लगाया है जो सूखे में भी उग सकती है और जिसकी

प्रति एकड़ उपज अन्य सभी प्रकार की ज्वारों से अधिक होती है ?

(ख) क्या इस किस्म की ज्वार पूर्वी पंजाब और राजस्थान के सूखे क्षेत्रों में भी उगाई जा सकती है ?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) Yes, a new variety of Jowar, M. 47-3 has been evolved.

(b) No, this strain is not likely to be suitable for dry areas in the Punjab and Rajasthan.

श्री रघुनाथ सिंह : क्या खाद्य तथा कृषि मंत्री यह बतलाने की कृपा करेंगे कि जिस तरह से जापानी ढंग से खेती करने का एक्सपेरीमेंट सरकार की तरफ से हुआ था, उसी तरह का एक्सपेरीमेंट यू० पी० के ईस्टर्न पार्ट्स में भी किया जायेगा ?

श्री एम० वी० कृष्णप्पा : यह जापान के कल्टीवेशन के ढंग पर नहीं है, बल्कि यह न्यू वैराइटी का है ।

श्री रघुनाथ सिंह : जिस तरह से जापानी एक्सपैरीमेंट सरकार की तरफ से हुआ था, उसी तरह का क्या कोई एक्सपेरीमेंट ईस्टर्न यू० पी० में आप की तरफ से किया जायेगा ?

श्री एम० वी० कृष्णप्पा : अभी तक नहीं किया गया है, अब हर जगह देश भर में किया जायेगा ।

प्रधान मंत्री (श्री जवाहर लाल नेहरू) : उस को हर जगह ज्यों ज्यों मौका मिलता जायेगा, देश में किया जायगा और खाली धान और चावल का नहीं बल्कि और चीजों का भी किया जायेगा । उस से गेहूं वगैरह को भी फायदा मिलता है ।

Mr. Speaker: Next question.

श्री आर० एन० सिंह : क्या यह सही है कि इस तरह से पहले वाले तरीके से अधिक पैदा किया गया है ?

Mr. Speaker: Order, order, I am going to the next question.

क्लर्कों द्वारा अनशन

*४२६. **श्री रघुनाथ सिंह** : (क) रेल मंत्री यह बताने की कृपा करेंगे कि क्या यह तथ्य है कि पूर्वी रेल के स्टोर डिपो के लगभग ४०० क्लर्कों ने अक्तूबर, १९५३ को अनशन आरम्भ कर दिया और रेलवे द्वारा विहित प्रतिशतता पर क्लर्कों के स्तरों में बढ़ती की मांग की ?

(ख) यदि ऐसा है, तो इस विषय में क्या पग उठाये गये हैं ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). Orders have been issued for removing their grievance by implementing the upgrading of clerical posts with retrospective effect. There was no hunger strike as such.

श्री रघुनाथ सिंह : हंगर स्ट्राइक की जो सूचना अखबारों में आयी हुई थी, उस के पहले हंगर स्ट्राइक करने वालों ने कोई सूचना सरकार को दी थी ? उन की मांगें क्या थीं ?

रेल तथा यातायात मंत्री (श्री एल० बी० शास्त्री) : जी नहीं, कोई सूचना नहीं दी थी और न उस ने कोई हंगर स्ट्राइक की शक्ल ही अख्तियार की थी ।

रेलों का बिजलीकरण

*४२७. **श्री रघुनाथ सिंह** : क्या रेल मंत्री यह बताने की कृपा करेंगे :

(क) किन किन रेलों के बिजलीकरण के लिये १९५३ में योजना बनाई गई है ;

(ख) योजना का अनुमानित व्यय क्या है ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The question of electrifying the Calcutta Suburban Section and the industrial area on the Eastern Railway and certain sections on the Southern Railway is under the active consideration of Government.

(b) The costs of the various schemes have not yet been worked out.

श्री रघुनाथ सिंह: बिजलीकरण की योजना में कितने इलेक्ट्रिक इंजनों की आवश्यकता होगी ?

रेल तथा यातायात मंत्री (श्री एल० बी० शास्त्री) : यह तो अभी सारी जांच हो रही है, जब स्कीम का फैसला हो जाय तब हम समझ सकेंगे कि कितने रौलिंग स्टौक्स की जरूरत है ।

Shri Punnoose: Has it come to the notice of the Government that persistent demands have been made both on the platform and in the Press that the Quilon-Ernakulam Railway which is being laid should be electrified and that the Government have already made promises on the floor of this House to that effect?

Shri Alagesan: That is one of the sections on the Southern Railway where we are considering the possibility of electrification.

Shri G. P. Sinha: May I know if there is any proposal before the Government to have electric train from Howrah to Moghalsarai in view of the fact that the line passes through one of the most important industrial areas?

Shri Alagesan: That section and also other sections in the Eastern Railway including the industrial belt.

Mr. Speaker: Next question.

DESERT AREAS

*428. **Shri Bishwa Nath Roy:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government are giving grants to State Governments to check the advance of desert areas; and

(b) whether any State Governments have begun work in this direction?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):

(a) No applications for such grants have been received so far.

(b) A statement showing the information available is laid on the Table of the House. [*See* Appendix II, annexure No. 66.]

Shri Bishwa Nath Roy: May I know, Sir, whether any attempt has been made in the U. P. in this direction?

Shri M. V. Krishnappa: In U. P. there seems to have been no attempt, but PEPSU, Ajmer, Saurashtra, Delhi and Punjab are making some efforts to check this onward march of the desert, but we have also got certain schemes to execute and we have called for the schemes of the various Governments near the Rajasthan desert and they are submitting their schemes very soon and we will go through those schemes.

COAL MINES

*429. **Shri P. C. Bose:** Will the Minister of **Labour** be pleased to state:

(a) whether Government are aware that a number of drowning accidents with heavy death roll took place in coal mines during the last rainy season;

(b) whether Government propose to take some precautionary measures to prevent the recurrence of such accidents; and

(c) if so, what are those measures?

The Minister of Labour (Shri V. V. Giri): (a) Inundation caused by heavy floods resulted in two accidents on the 5th and 24th August 1953. In the first, eleven persons and in the second, six persons were drowned. There was also another accident due to drowning on the 28th July 1953, involving the loss of three lives, but this was not due to flooding caused by rains.

(b) and (c). A statement showing measures already taken, and proposed to be taken, is laid on the Table of the House. [*See* Appendix II, annexure No. 67.]

Shri P. C. Bose: Are the Government aware that the usual posters and pictorial hand-bills on accidents are not being pasted in the coal mines according to the regulations of the I.L.O.?

Shri V. V. Giri: I take the information from the hon. Member and shall communicate it to the Chief Inspector of Mines.

TUBE-WELLS IN NORTH GUJERAT

*430. **Dr. Amin:** (a) Will the Minister of **Food and Agriculture** be pleased to state what are the terms on which loan has been given to Bombay State for the construction of 400 tube-wells in North Gujerat?

(b) What amount has been returned by the Bombay State out of this loan?

(c) What is the rate of interest which will be charged to Bombay State on this loan?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) Repayment in 15 equated annual instalments of principal with interest, the first instalment starting from 1952-53.

(b) Rs. 2,03,504/- plus interest Rs. 1·5 lakhs.

(c) 3½ per cent.

Dr. Amin: May I know what was the amount advanced to the National Tube-well Company by the Bombay State out of the loan advanced by the Centre?

Shri M. V. Krishnappa: We have advanced Rs. 40 lakhs to the Bombay Government and according to our figures they have advanced about Rs. 11 lakhs as loan to this company.

Shri Gidwani: Are the Government aware that the company...

Mr. Speaker: The question-hour is over.

Short Notice Question and Answer

PAKISTAN-U.S.A. MILITARY ALLIANCE (NEGOTIATIONS)

SNQ 2. **Shri L. N. Mishra:** Will the **Prime Minister** be pleased to state:

(a) whether attention of Government has been drawn to the latest statement of the U. S. President regarding the proposed U. S.-Pakistan military alliance; and

(b) if so, what steps do Government propose to take in order to allay the serious misgivings and concern created in India by it?

The Prime Minister (Shri Jawaharlal Nehru): (a) and (b). Yes. Government have seen press reports of a statement made by the President of the United States which state that "the question of military aid and bases were not discussed in detail when he met the Pakistan Governor-General recently." This statement indicates that the subject was discussed but not in detail. A number of other statements have also been made on this subject by responsible statesmen in the United States and in Pakistan. The U. S. Secretary of State stated that the U.S.A. were not at present negotiating with Pakistan either a military aid agreement or an agreement to establish U. S. bases in Pakistan territory. He added, however, that he did not rule out the possibility that the U. S. A. might make a military aid agreement with Pakistan in future. The Governor General of Pakistan has stated that reports that Pakistan was negotiating with the U. S. A. for military help in return for the provision of bases were "absolutely unfounded and baseless".

Certain influential and responsible newspapers and periodicals in the United States have written specifically and authoritatively on the subject of military aid being given by the U.S. to Pakistan and U.S. bases being established in Pakistan.

These varied statements are somewhat contradictory. They would indicate that this matter has been under discussion between the Governments of Pakistan and U.S.A. for sometime past, though no decisions have been arrived at.

The Government of India have clearly stated that they view any such developments with grave concern. Any further steps would depend on such developments as might take place.

Shri L. N. Mishra: May I know whether it is a fact that a Conference of the Greek, Turkish and American officers, in which the Commander-in-Chief and Defence Secretary of Pakistan were also present, was held in September last at Izmir, the Headquarters of South-Eastern European Wing of NATO and whether preliminaries of this military alliance were worked out in that conference?

Shri Jawaharlal Nehru: I do not know, Sir.

Shri L. N. Mishra: Do the Government of India propose to take up this matter direct with Pakistan, since this alliance, when materialises, may disturb the good neighbourly relationship of the two countries?

Shri Jawaharlal Nehru: I have stated, Sir, that we shall take such steps as Government considers necessary according to developments as they take place.

Sardar A. S. Saigal: May I know, Sir, whether the attention of the Government has been drawn to the statement made by Mr. Emanuel Celler, Member of the United States House of Representatives in Karachi yesterday that economic aid to Pakistan by United States of America did not preclude military help? How does this reconcile with the statement made by the hon. Prime Minister?

Shri Jawaharlal Nehru: I am asked to reconcile myself with other people's statements! I have not seen that statement.

Shri Syed Ahmed: Is this question likely to figure in the talks which the Prime Minister is likely to have with Shri Nixon?

Shri Jawaharlal Nehru: The Vice-President of the United States has not come here for any formal talks on any subject. I do not quite know what subjects he would like to discuss with us. There is no agenda for discussion or any formality about it. So, I cannot say exactly what he will discuss with us.

Shri Gidwani: Has the attention of Government been drawn to a PTI message from New York, dated the 29th November published in the Hindustan Times this morning to the effect that "Pakistan was deterred from pushing the pact in question because India "may threaten" to end the current Washington talks between India and Pakistan on Indus waters?

Shri Jawaharlal Nehru: I have not personally seen that message, Sir. I have nothing to say about messages like that.

Shri T. K. Chaudhuri: Has the attention of the Prime Minister been drawn to the news message from Washington, dated the 16th November, "Authoritative sources in Washington stated that the United States would inform India in advance if she decided to send military aid to Pakistan"? If so, has he received any official intimation of the talks from United States sources or has he obtained any information on such talks from our own diplomatic missions in Washington and Karachi?

Shri Jawaharlal Nehru: I have seen the message in the press, to which the hon. Member has referred. I have seen reports from our Ambassador in Washington about certain talks he had there. We are receiving continual reports of talks informally from various heads of missions of ours on this subject. It is difficult for me to go into details as to what it refers.

Shri T. K. Chaudhuri: Has he received any reports from our Misson in Karachi?

Shri Jawaharlal Nehru: Speaking off-hand, we have, of course, received reports. But I do not quite know what the hon. Member refers to. We sometimes receive reports every day.

Shri V. G. Deshpande: Do Government of India propose to make a change in its policy of neutrality in view of these developments?

Shri Jawaharlal Nehru: The Government of India feel that their policy of neutrality has been confirmed and strengthened by all such developments.

Dr. Lanka Sundaram: May I know, Sir, whether the Government of India have sent any formal communication to the United Ststes Government indicating the apprehensions expressed by the Prime Minister in the Press Conference on the 15th of this month?

Shri Jawaharlal Nehru: I do not quite know what the hon. Member means by a formal communication. But, using that word in the technical sense, we have not sent any formal communication. But informally we have been in touch with various Governments.

Shri Meghnad Saha: May I know against which particular enemy Pakistan is seeking military aid from the United States?

WRITTEN ANSWERS TO QUESTIONS

ZOOLOGICAL GARDEN IN DELHI

***385. Shri S. N. Das:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the scheme for the establishment of a Wild Life Park near Purana Quila in New Delhi has been finalised;

(b) if so, what are the important features of the scheme; and

(c) what is the estimated recurring and non-recurring expenditure involved in the scheme?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) Not yet.

(b) The important features of the scheme under consideration are:—

(i) to provide amenities to the citizens of the growing city of Delhi,

(ii) as the zoo is to be developed somewhat along the line of the Whipsnade Park near London, the special feature would be that visitors, rather than the animals would appear to be in a cage.

(c) The total estimated recurring and non-recurring expenditure would be in the neighbourhood of Rs. 10 lakhs spread over a period of five years.

CONFERENCE OF GENERAL MANAGERS

***386. Shri S. N. Das:** Will the Minister of **Railways** be pleased to state:

(a) the important subjects discussed and considered at the recent Conference of the General Managers of all the Railways; and

(b) whether any decisions were arrived at?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). At the Conference of General Managers of Railways held in September last, a number of matters were, discussed including questions relating to traffic trends and steps to increase earnings, staff problems, increased use of Khadi, planning for future requirements of railways and some aspects of Re-grouping and certain decisions were arrived at.

GANGA-BRAHMPUTRA TRANSPORT BOARD

*387. **Shri S. N. Das:** Will the Minister of Transport be pleased to state:

(a) the nature of work done so far by the Ganga Brahmputra Transport Board during 1953-54;

(b) its present and future programme; and

(c) whether the work is progressing according to plan?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). The Ganga-Brahmaputra Water Transport Board has been set up to co-ordinate activities relating to navigation on the Ganga-Brahmaputra system of rivers The main item in the Board's immediate programme is to carry out a Pilot project for navigating the Upoer Ganga and Gogra with shallow draft tugs and barges. At its last meeting held on the 26th October 1953, the Board approved of certain preliminary arrangements necessary for starting the project.

SEAMEN'S DISPUTE

*408. **Shri N. Sreekantan Nair:** Will the Minister of Transport be pleased to state whether Government have taken any decision as to whether the Seamen's disputes will come within the purview of the Industrial Disputes Act?

The Deputy Minister of Railways and Transport (Shri Alagesan): The matter is under examination.

RAILWAY BRIDGE ON GODAVARI RIVER

*411. **Shri Madhao Reddi:** Will the Minister of Railways be pleased to state the position regarding the permission asked for by the Azamabad Thermal Power Scheme authorities to use the Railway Bridge on the Godavari River in the Hyderabad State to support the electric wires to take the energy from Ramgundam to Mancherial town which is on the other side of the river?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): A Memorandum of terms and necessary permission was sent by the Central Railway to the Power Scheme authorities who are, however, now considering the possibility of laying an overhead transmission line across the river and have, therefore, deferred consideration of the Railway terms.

MEDICAL AID TO RAILWAYMEN

*416. **Shri Nambiar:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that Railwaymen suffering from T. B. are being given long leave without pay for treatment;

(b) whether they are given any amount to meet the expenses of treatment in case there are no beds available in Railway and Government Hospitals; and

(c) whether there is any proposal to arrange wards in T. B. Sanatoria exclusively for Railwaymen?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) They are given leave without pay only when they have exhausted all leave with pay at their credit.

(b) No.

(c) Yes.

T.B. PATIENTS AMONG RAILWAYMEN

*417. **Shri Nambiar:** Will the Minister of Railways be pleased to state:

(a) the number of T. B. patients among Railwaymen who were either medically declared unfit or granted long leave without pay in each Railway during the year ending March 1953; and

(b) the steps Government are taking to prevent the spread of T. B. amongst Railwaymen and their families?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) and (b). A statement is placed on the Table of the House [*See* Appendix II, annexure No. 68.]

CENTRAL RICE RESEARCH INSTITUTE, CUTTACK

*421. **Shri Buchhikotaiah:** (a) Will the Minister of **Food and Agriculture** be pleased to state whether it is a fact that Government have sanctioned a scheme for imparting practical instruction in scientific methods on different aspects of rice cultivation at the Central Rice Research Institute at Cuttack?

(b) If so, what are the results of these trainings?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) Yes.

(b) The first experimental course of training is still in progress.

DECK PASSENGER WELFARE COMMITTEES

*424. **Ch. Raghubir Singh:** (a) Will the Minister of **Transport** be pleased to state whether Government have formed Deck Passenger Welfare Committees?

(b) If so, who are its members?

(c) Are the Committees functioning and if so, have they made any recommendations?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). The Committees have not yet been set up. Their composition and membership are in the process of finalisation and steps to recruit Secretaries of the Committees are in hand.

COPPER WIRE CONTRACT FOR TUBE WELLS

*431. **Dr. Amin:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the name of the firm to whom contract for the supply of copper wires required for 2000 Tube Wells Scheme was given;

(b) the price per lb. and the quantity for which it was tendered; and

(c) the lowest ruling price of copper wires at that time in World markets?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) No contract has been awarded to any firm by the Govt. of India for the supply of copper wire under the 2,000 tubewells scheme. Governments of U. P., Bihar, Punjab and Pepsu have, however, placed orders with Messrs. Kamani Engineering Corporation Limited of Bombay and Messrs. National Screw and Wire Products Limited, of Calcutta, for their requirements of Copper conductors.

(b) 730 tons of solid copper conductors have been ordered with Kamani Engineering Corporation Limited at the rate of Rs. 2-7-3 per lb. F.O.R. Jaipur, and 969 tons of stranded copper conductors received against world Messrs. National Screw and Wire Products Limited at the rate of Rs. 2-5·5 per lb. F.O.R. Belur, by the four State Governments.

(c) The lowest rate for solid copper conductors received against world tenders was Rs. 2-5·6 per lb. from two Indian firms who were not approved manufacturers of copper wire. The quotations of foreign firms were much higher than the rates paid by the State Governments to the two firms mentioned earlier.

DECASUALIZATION OF RAILWAY PORTERS

*432. **Shri Ramananda Das:** (a) Will the Minister of **Railways** be pleased to state whether Government are aware that under the decasualization of the Licensed Porters at Burdwan Junction of the Eastern Railways they have to pay more Licence fees to the Railways than what they used to pay previously to the contractors?

(b) Do Government propose to introduce the decasualization Schemes in other places also?

(c) If the answer to parts (a) and (b) above be in the affirmative, will Government state the reasons?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes.

(b) Yes.

(c) Reasons are (a) (i) To cover the cost of the supervisory organisation on a "no profit, no loss" basis and (ii) to provide certain other facilities such as free medical treatment and free supply of buckles and badges

(b) Apart from making for uniformity of practice, the scheme will be in the interests of the licensed porters themselves and also result in improved service to the travelling public.

MINIMUM WAGES ACT

*433. **Shri Ramananda Das:** (a) Will the Minister of Labour be pleased to state how many infringements of the nature of short payment and non-payment for the weekly holidays under the Minimum Wages Act have been detected by the Chief Labour Commissioner's Organisations in respect of the workers employed in the "Scheduled Employment" directly by the Indian Railways and through their contractors during the year ending in July, 1953?

(b) How many prosecutions have been made under Section 22 of the Minimum Wages Act so far and with what results?

(c) What further action has been proposed by Government to enforce rigidly the provisions of the Minimum Wages Act in the light of the experience gained so far?

The Minister of Labour (Shri V. V. Giri): (a) The Chief Labour Commissioner's Organisation has detected 9 cases of short payment in Departmental establishments and 92 cases in contractors' establishments. The cases in respect of non-payment for weekly holidays have been 21 in Departmental establishments and 53 in contractors' establishments.

(b) One. This was subsequently withdrawn and compounded out of Court as desired by the parties.

(c) Instructions have been issued to the inspection staff to pay particular attention to this matter. All the Ministries of the Government of India employing industrial labour have also been requested to extend the fullest co-operation to the inspecting officers and to ensure the proper implementation of the Act and the Rules both in regard to the departmental establishments as well as contractors' establishments.

POSTS AND TELEGRAPHS OFFICES IN RAJASTHAN

*434. **Shri Karni Singhji:** Will the Minister of Communications be pleased to refer to the reply given to unstarred question No. 105 asked on the 14th November, 1952 and state:

(a) the number of Posts and Telegraphs Offices opened in Rajasthan during the year 1952-53; and

(b) how many new Posts and Telegraphs Offices are proposed to be opened in Rajasthan during the year 1953-54?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Post

Offices	Rural	48
	Urban	3
Telegraph Offices		6

(b) The target for 1953-54 is 330 Post Offices and 9 telegraph offices.

NAME-BOARDS AT RAILWAY STATIONS

*435. **Shri R. N. S. Deo:** Will the Minister of Railways be pleased to state:

(a) the policy of Government in regard to languages used in the name boards of Railway stations; and

(b) the reasons for removal of Oriya from the name-boards of some Railway stations in Singhbhum District in Bihar, on the Eastern Railway, particularly in the ex-States of Seraikella and Kharsawan?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The policy of the Government is that the names of stations on station name-boards should be indicated in

(i) Hindi in Devanagri script;

(ii) English; and

(iii) the regional language.

In special circumstances, an additional language may also be used in consultation with the Railway Users' Consultative Committee.

(b) The practice of using Oriya script on the station name-boards of stations in Singhbhum District was abandoned in accordance with the recommendation of the Local Advisory Committee of the former Bengal Nagpur Railway.

CONTAMINATED WATER IN AGARTALA

***436. Shri Biren Dutt:** Will the Minister of **Health** be pleased to state:

(a) whether any examination of water of suspected tube-wells in Agartala Town has been undertaken and if so, what are the results;

(b) what are the reasons for intestinal trouble to the large number of citizens in Agartala; and

(c) whether any precautionary measures have been taken in the matter?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) Yes. Its chemical quality is satisfactory except for high iron contents. The high presumptive Coli Count in the water does not by itself make it bacteriologically unsatisfactory. Further bacteriological examination, however, will be made.

(b) There can be many causes for such trouble apart from an infected water supply *e.g.* infected food, malnutrition and under-nutrition.

(c) Precautionary measures as far as food and nutrition are concerned are obvious. And as regards infection from water, if that is the basic cause, this can only be removed by a filtered water-supply.

RAILWAY TRAINING SCHOOL, UDAIPUR

***437. Shri Bheekha Bhai:** (a) Will the Minister of **Railways** be pleased to state whether any site has been selected for the building of the Railway Training School at Udaipur?

(b) When will the construction work be started?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) The proposal for a Railway Training School at Udaipur is still under examination.

(b) Efforts will be made to take this work in hand next year, if the proposal is finally accepted.

STEAMER FREIGHT RATES

***438. Shri K. P. Tripathi:** Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that representations were made to him about the exorbitant freights and fares charged by the steamer companies, plying to and from Assam and Calcutta;

(b) whether any steps have been taken in the matter; and

(c) if so, what?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) and (c). The matter is under examination in consultation with the State Governments.

ROWRAIAH AERODROME

***439. Shri Sarmah:** (a) Will the Minister of **Communications** be pleased to state whether there have been scheduled air services to the Rowraiah aerodrome at Jorhat (Assam) regularly in the last few years and these are still continuing?

(b) Is it a fact that this aerodrome has been made over to the Indian Air Force?

(c) Are Government aware that civil air passengers are put to inconvenience by the I.A.F. employees?

(d) If so, what arrangements do Government propose to make for civilian passengers at the said air port?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes, Sir.

(b) Yes, Sir.

(c) A report to this effect has been received from the hon. Member.

(d) Action is being taken to investigate the matter. Instructions have been issued meanwhile that whatever facilities were available to civil passengers prior to the transfer of the aerodrome to the Air Force should be restored. The provision of a separate Civil Aviation Terminal building at the aerodrome is also under consideration.

RAILWAY RATES TRIBUNAL

*440. **Shri K. C. Sodhia:** Will the Minister of Railways be pleased to state:

(a) the present constitution of the Railway Rates Tribunal;

(b) the number of formal complaints received by them under Section 41 of the Railway Act during 1952-53; and

(c) the number of applications, if any, made to them by the Central Government under Section 42(1) of the Act?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The Railway Rates Tribunal consists of a President and two other members appointed by the Central Government.

(b) Five complaints under Section 41 of the Indian Railways' Act were received by the Tribunal during 1952-53; one of these has been allowed to be withdrawn.

(c) No application was made to the Railway Rates Tribunal by the Central Government under Section 42(1) of the Indian Railways' Act during 1952-53; during 1950-51 two applications were made and during 1951-52 two more applications were made. One of them was subsequently withdrawn.

IMPORTED WHEAT

*441. **Shri Kakkan:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have decided to reduce the price of imported wheat; and

(b) if so, what are the reasons for the same?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) and (b). The pool price of imported wheat has been reduced by Re. 1/- per maund with effect from 15-11-1953. The reduction was made as a result of periodical review of pool prices which are fixed at the beginning of the year on the basis of the best available estimates of sources of supply and price etc.

TRAINS IN NORTH GUJRAT

*442. **Shri S. G. Parikh:** (a) Will the Minister of Railways be pleased to state whether Government are aware that on the Metre Gauge Section of the Western Railway in North Gujrat, trains on the branch lines are getting irregular and many a time the passengers are stranded overnight at the road side stations due to failure of engines and short supply of water?

(b) Is it a fact that some old locomotives have been brought there and if so, why?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) No. However, in the month of October, 1953, the punctuality of passengers trains in the Mehsana District suffered due to unavoidable causes such as engine failures and sudden failure of water supply at roadside stations. The position has since improved.

(b) No. More suitable locomotives have replaced those prevoiusly in use.

CARDAMOM

208. Shri V. P. Nayar: Will the Minister of **Food and Agriculture** be pleased to lay on the Table of the House a statement showing the quantity of cardamom produced in India during the years 1950 to 1953, State-wise?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): A statement giving the available information is placed on the Table of the House. [See Appendix II, annexure No. 69.]

WOOD PRESERVATIVES

209. Shri V. P. Nayar: (a) Will the Minister of **Food and Agriculture** be pleased to state whether the Forest Research Institute, Debra Dun has evolved any wood preservative other than the mixture of Arsenic Oxide, Copper Sulphate and Potassium Bichromate or "Creosote"?

(b) If so, what are such preservatives and what are their ingredients?

(c) How far have the efficacy, economy, suitability and permanence of such preservatives been proved?

(d) What is the estimated quantity of timber subjected to treatment with wood preservatives in a year?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) Yes.

(b) (1) Antiseptic-cum-fireproof composition consisting of boric acid, copper sulphate, zinc chloride, sodium dichromate and water.

(2) Copper organic salt preservative from Mahua oil.

(3) Copper organic Salt preservative from *chir* resin.

(c) (1) The antiseptic-cum-fireproof composition was evolved primarily because of a request from the Central Standards Office, Ministry of Railways for the treatment of *Chir* and laurel B. G. Sleepers for trials on the line. Their behaviour is being watched.

(2) Copper organic salt preservative from Mahua oil:—

This preservative was prepared during the war when the supply of wood preservatives was scarce, but since it involved the use of oils which also became very scarce, further work was discontinued.

(3) Copper organic salt preservative from *chir* resin:—

A simple copper salt from *chir* resin has been prepared and is useful, for protection of timber used for the furniture, toys, door and window frames etc. Attempts to develop it economically on a cottage industry scale are being made.

(d) As a broad estimate about 3 to 4 million cu. ft. of timber is treated per annum for use as railway sleepers, telegraph poles, wood piles, tea-chests etc.

ANTI-LOCUST OPERATIONS IN RAJASTHAN

210. Shri Karni Singhji: (a) Will the Minister of **Food and Agriculture** be pleased to refer to the reply to unstarred question No. 219 asked on the 24th November, 1952 and state whether the actual figures of damage done to crops by locusts during 1952 have since been collected?

(b) If so, do Government propose to lay it on the Table of the House?

(c) How much damage has been done to the crops by locusts during 1953 in Rajasthan, particularly the Bikaner and Jodhpur Divisions and the amount spent on anti-locust operations during the year 1953 in these Divisions?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) Yes.

(b) Estimate of the damage caused by locusts in the three districts of Barmer, Jaisalmer and Bikaner is as under:—

(i) Barmer	3,700 mds.
(ii) Jaisalmer	2,100 mds.
(iii) Bikaner	10,992 mds.
TOTAL	16,792 mds.

(c) It is estimated that the damage to the extent of Rs. 32,000/- in value has been caused by locusts during 1953 in parts of Jaisalmer and Bap Tehsils of Jodhpur Division. No damage is reported to have occurred in Bikaner Division or other parts of Rajasthan.

Expenditure on Central anti-locust operations during 1953 in these Divisions is estimated at Rs. 7 lakhs.

PROVISION OF FANS IN THIRD CLASS (BIKANER DIVISION)

211. Shri Karni Singhji: Will the Minister of Railways be pleased to state:

(a) the number of third class coaches fitted with fans in the Bikaner Division of the Northern Railway in the years 1951 and 1952; and

(b) the target for the next five years from 1953 onwards?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a)

1951 ...	8
1952 ...	45

(b) The number of third class coaches yet to be fitted with fans on Bikaner Division is 72 and they will all be completed before the end of 1955-56.

REVERINE FISH

212. Shri V. P. Nayar: Will the Minister of Food and Agriculture be pleased to state:

(a) the estimated quantity of Reverine Fish destroyed as a result of toxic effluents discharged into rivers from Industrial and Sewage Works in India;

(b) whether the Central Inland Fisheries Research Station has investigated into the matter;

(c) if so, what are their recommendations; and

(d) what action, if any, has so far been taken?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) No figures are available.

(b) Investigations nave been started by the Central Inland Fisheries Research Station, Barrackpore.

(c) No definite conclusions have yet been reached.

(d) The question does not arise.

COCONUT RESEARCH STATION

213. Shri V. P. Nayar: Will the Minister of Food and Agriculture be pleased to state the total area of Coconut growing lands taken possession of by the Coconut Research Station in Travancore-Cochin State and the yearly compensation paid per acre to the owners of such lands?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): The lands acquired for the Coconut Research Stations in the Travancore-Cochin State are as under:—

(1) Central Coconut Research Station, Kayanagulam:

53 acres approximately.

(2) Regional Coconut Research Station, Kayanagulam:

60 acres approximately.

(3) Regional Coconut Research Station, Neyyattinkara:

60 acres approximately.

(4) Regional Coconut Research Station, Kumarakom:

60 acres approximately.

The Central Station is under the direct control of the Indian Central Coconut Committee. The Regional Stations are under the control of the

State Government. The land required for all these stations was acquired by the State Government. The information about the compensation paid or being paid to the owners will be laid on the Table of the House when it is received from the State Government.

The area under the Central Coconut Research Station, Kayangulam, has been leased out by the State Government to the Indian Central Coconut Committee for a period of 50 years on an annual rental of Rs. 4,000/-.

BLOOD TRANSFUSION

214. Shri V. P. Nayar: Will the Minister of Health be pleased to state:

(a) whether Government have investigated the possibility of utilising placental blood for the purposes of blood transfusion; and

(b) if so, what work has been done in this regard?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) No.

(b) Does not arise.

FAMILY PLANNING

215. Shri V. P. Nayar: (a) Will the Minister of Health be pleased to state for how long the Family Planning Centre at Lodhi Colony has been functioning?

(b) What is the number of persons who have visited the Centre in each of the years of its existence?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) From July, 1952.

(b) 602 during the period from July, 1952 to July 1953.

रायला रोड स्टेशन

२१६. श्री बलवन्त सिह महता : (क) क्या रेल मंत्री यह बताने की कृपा करेंगे कि पश्चिमी रेलवे के मलवां सेक्शन की अजमेर-खंडवा लाइन के फ्लैग स्टेशन रायला रोड को "डी" क्लास स्टेशन बनाने की योजना स्वीकार की जा चुकी है ?

(ख) यदि हां, तो सरकार कब तक यह काम करना चाहती है ?

(ग) इस पर कितना रुपया खर्च होने का अनुमान है ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Raila Road station on the Ajmer-Khandwa section is already a 'D' class station.

(b) and (c). Do not arise.

BITTRAGUNTA-GUDUR PASSENGER TRAIN

217. Shri Nanadas: Will the Minister of Railways be pleased to state:

(a) whether the passenger train, which has been running between Bittragunta and Gudur since 21st October, 1953 will be continued even after 15th December, 1953;

(b) what is the additional expenditure incurred for running that train since 21st October, 1953 and what is the income from passenger traffic; and

(c) whether it is proposed to run that train between Singarayakonda and Gudur instead of Bittragunta and Gudur?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The train in question is a mixed and not a passenger train. When, due to the floods in the river Pennar, the causeway between Padugupadu and Nellore on the Great Northern Trunk Road became impassable, this mixed train was introduced purely as an emergency arrangement. The intention is to review its justification after the causeway has been again functioning normally for some time.

(b) The information is not readily available.

(c) No.

RAILWAY STATION BETWEEN JOGIARA AND KAWTAUL

218. Shri Anirudha Sinha: Will the Minister of Railways be pleased to state:

(a) whether the Railway administration has received any representation from the flood affected locality lying between Jogiara and Kawtaul Stations on Darbhanga-Narkatiaganj section of the North-Eastern Railway for opening a Railway station at a point mid-way between Jogiara and Kawtaul; and

(b) if so, what steps, if any, have been or are being taken?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, public representations have been received to this effect in September and in October last.

(b) The proposal is under investigation.

मुसाफ़िर गाड़ियों के डिब्बे

२१९. श्री अनिरुद्ध सिंह : क्या रेल मंत्री यह बतलाने की कृपा करेंगे :

(क) उत्तर पूर्व रेलवे के उस भाग पर जिसे पहले ओ० टी० आर० कहा जाता था, ३१ अक्तूबर, १९५.३ तक मुसाफिर गाड़ी के कितने नये डिब्बे बढ़ाये गये हैं तथा कितने पुराने डिब्बे अलग किये गये हैं ;

(ख) क्या सरकार यात्रियों की संख्या के विचार से उतने डिब्बों को काफ़ी समझती है; तथा

(ग) यदि नहीं, तो क्या सरकार डिब्बों को बढ़ाने का विचार कर रही है ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 208 bogie coaches were put on the rails and 3 bogies and 46 four-wheeled coaches were removed.

(b) No.

(c) Yes.

NON-PAYMENT OF SUGAR CANE PRICES

220. Shri K. Subrahmanyam: Will the Minister of Food and Agriculture be pleased to state the amount of price of sugarcane which has not been paid to the growers of Madras and Orissa States for sugarcane supplied to factories in 1951-52 and 1952-53, factory-wise?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): No arrears, on account of price of cane purchased by the Rayagada Sugar Factory in Orissa during 1951-52 and 1952-53 seasons, are outstanding. The information about arrears outstanding against Madras factories, is not available and is being collected.

RICE CULTIVATION

221. Shri K. Subrahmanyam: (a) Will the Minister of Food and Agriculture be pleased to state what is the average cost of cultivation and yield per acre of paddy under the Indian system of cultivation?

(b) What is the average cost and yield per acre of paddy cultivation under the Japanese method of cultivation?

(c) How much land is under paddy cultivation under the Japanese method and how much under the Indian method in Andhra State?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) and (b). No enquiry into the cost of cultivation of paddy per acre both under the Indian method and the Japanese method has so far been undertaken. The Indian Council of Agricultural Research have recently sanctioned a scheme for undertaking a comparative study of the economics of paddy cultivation by the Indian method and the Japanese method. The experiments are being conducted both on research farms and on cultivators' fields in the States of Bombay, Bihar, Madras, Madhya Pradesh, Orissa, U. P., West Bengal, Coorg and Mysore. The results of these experiments are likely to become available by June-July 1954.

The average yield under the Indian method is about 1,000 lbs. of paddy per acre. As the Japanese method of paddy cultivation has been adopted on a large scale only this year it is too early to give average yield per acre under this system. This method was, however, tried during the last year on a limited scale at three places in Bombay and the yield obtained varied between 3,000 to 4,000 lbs. of paddy per acre.

(c) About 7,000 and 42 lakhs acres respectively.

NEW POST OFFICES IN ANDHRA

222. Shri K. Subrahmanyam: Will the Minister of **Communications** be pleased to state:

(a) the number of post-offices proposed to be opened in Andhra (District-wise) during the year 1953-54; and

(b) the names of the places in Visakhapatnam District where they are being opened?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 70.]

LAND CENSUS

223. Shri A. M. Thomas: Will the Minister of **Food and Agriculture** be pleased to state how far has the work in connection with the taking of the land census progressed?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): The details of the information to be collected and the manner in which the census should be organised have been worked out and a letter will be addressed to the State Governments on the subject shortly.

CLAIMS AGAINST RAILWAYS

224. Shri K. P. Sinha: Will the Minister of **Railways** be pleased to state:

(a) the number and amount of claims put forward by parties for compensation due to loss, delay, destruction, deterioration and damage in respect of goods carried and delivered by the Railways in the year 1952-53;

(b) the number and amount of claims settled outside the court by mutual agreement and the number of cases pending for this year;

(c) the number of cases in which the parties have accepted settlement by the Railway authorities and which were not referred to courts; and

(d) whether there are any cases in which the parties have agreed to abide by the decision of the Railway officers as arbitrators but which are still pending in courts?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The number of claims for compensation preferred during 1952-53 is 3,48,831; the value of these claims is not available.

(b) 9,040 claims amounting to Rs. 50,01,994 were settled outside the court by mutual agreement; 15,742 cases are pending.

(c) The parties have accepted settlement by the Railway authorities without referring to court in 3,26,734 cases.

(d) No.

VEGETABLE BREEDING STATIONS

225. Shri S. C. Samanta: Will the **Minister of Food and Agriculture be** pleased to state:

(a) how many Central Vegetable Breeding Stations are in India;

(b) how much vegetable seeds have been produced by them in the years 1951, 1952 and 1953;

(c) the annual amount spent on these stations and the income from the sale of seeds; and

(d) the varieties of seeds produced so far?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) One, namely the Central Vegetable Breeding Station Kulu.

(b) to (d). The information is as follows:

	1950-51	1951-52	1952-53
(i) Quantity of seeds produced (lbs.)	3,674	4,182	4,338
(ii) Amount of Expenditure (Rs.)	49,064	58,334	60,805
(iii) Receipts (Rs.)	6,624	10,331	17,139

(iv) Varieties of seeds produced.

Asparagus; Beet; Beans; Cabbage; Celery; Knol-Khol; Lettuce; Leek; Okra; Parsley; Peas; Radish; Turnip; Tomato; Brinjals; Capsicum; Spinach.

N.B:—Figures for calendar years are not available.

OBSTRUCTION OF TRAINS

226. **Shri Munlswamy:** (a) Will the Minister of Railways be pleased to state whether it is a fact that some months back it was noticed by the Railway Authorities that continuous disturbance was created by placing something on the Railway lines to obstruct the running trains near Oddanchatram Railway Station of Madura District, on the Southern Railway?

(b) Is it a fact that a wooden wheel was placed on the Railway lines on the 15th of September, 1953?

(c) What steps have been taken to put an end to such dangerous activities?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). There was no continuous disturbance. But 3 minor cases of mischief have been reported to have occurred near Oddanchatram Railway Station during the last few months, as detailed below:—

(i) On 3rd March 1953, at mileage L.294/4-5 between Oddanchatram and Chatrapatti stations where a stone, weighing 13 seers, was found placed on the track.

(ii) On 19th August 1953, at mileage L.285/14-15 between Palakkanuthu and Oddanchatram stations where 3 stones, weighing 1 md. 9 srs., were found placed on the track.

(iii) On 15th September 1953, at mileage L.285/9 between Palakkanuthu and Oddanchatram stations where one wooden wheel (actually a wooden pulley with axle used for drawing water), weighing 7½ seers, was found placed on the track.

(c) All the three occurrences were investigated by the Police, with the following results respectively:—

(i) A cow-herd boy was found responsible for the occurrence. The boy was admonished by the Stationary Sub-Magistrate, Palni, and his father was directed to execute a bond for Rs. 50 for his son's good behaviour for one year.

(ii) The case has remained undetected. The police report, however, indicates that there was no special motive behind this action.

(iii) The occurrence is reported to have been the result of spite amongst villagers of the locality who sought to have the wheel (presumably belonging to the rival group) damaged by a train.

As in all these cases there was no indication of any intention to wreck the train, no further action was considered necessary beyond reporting the matter to the Police.

ELECTRIC INSTALLATION AT SHIKOHABAD AND FIROZABAD STATIONS

227. **Ch. Raghubir Singh:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that Government propose to install electrical fittings on the Shikohabad and Firozabad stations during the year 1953-54; and

(b) if so, when the work will be completed?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). Necessary funds for the electrification of Firozabad station have already been provided in the Railway's current year's budget. It is, however, doubtful that the supply of power would be available this year as the State Government have not so far been able to provide it due to technical difficulties.

Shikohabad Railway Station is programmed to be electrified next year provided the power is made available by the State Government.

DEFALCATION CASES IN POSTAL DEPARTMENT

228. Pandit D. N. Tiwary: Will the Minister of Communications be pleased to state:

(a) the number of prosecutions launched for defalcation in the Postal Department in 1952-53 and the result thereof; and

(b) the number of cases in which action was taken departmentally?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) On the presumption that the Member refers only to prosecutions in the Postal Branch of the Department the number is 535. 164 cases resulted in convictions. In the remaining cases, the accused were either acquitted, discharged, absconded or were still under trial at the close of the year.

(b) 241.

POST OFFICE ACCOUNTANTS (PAY SCALES)

229. Shri Muniswamy: (a) Will the Minister of Communications be pleased to state whether there is any proposal to raise the scale of pay of Post Office Accountants to Rs. 160/250?

(b) Is there any proposal to sanction Assistant Accountants for every 250 class III and class IV posts?

(c) If so, at what stage are the proposals?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) to (c). The question of prescribing standards for determining which posts of accountants should be on the scale of Rs. 160/250, and for determining the number of posts of Assistant Accountants, is under consideration.

RAILWAY PRIVILEGE PASSES

230. Shri T. B. Vittal Rao: (a) Will the Minister of Railways be pleased to state whether privilege passes are issued to class I and II officers of railways when they are on deputation to departments other than the Railway Department or private companies?

(b) If so, what are the rules governing grant of these passes?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). Railway employees, including class I and II officers, are issued privilege passes while on deputation to a non-Railway Government Department, provided the deputation is to a post not carrying higher emoluments, in which case pass privileges are allowed for a period not exceeding 12 months. If the deputation is to a post with higher emoluments, this concession is not allowed. However, employees proceeding on deputation to non-Railway Government Departments in the interests of Railway service are allowed the privilege of passes irrespective of the emoluments attached to the post on deputation.

Normally railway employees are not sent on deputation to private Companies and, therefore, there is no provision for issue of passes in that context.

SUGAR

231. Shri Sinhasan Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) what is the respective percentage of yield of sugar from the cane supplied to Siswa bazar, Khada, Ghughti, Captainganj and Laxmiganj Sugar Mills of Eastern Districts of

U.P. for the months of March, April and May, 1953; and

(b) the rate of sugarcane price paid to the cane growers from those mills during all the weeks of May separately?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) The average percentage recovery of sugar on cane during the months of March, April and May, 1953 was as shown below:

Month	Siswa-Bazar	Khada	Ghughti	Captainganj	Laxmiganj
March, 53	9·97	9·15	10·16	10·67	9·52
April, 53	8·67	8·37	8·99	9·22	9·34
May, 53	6·36	7·35	8·33	8·09	8·085

(b) The price paid for the cane purchased during the various weeks of May, 1953, on recovery basis was as shown below:

(per maund of cane)

Week (May, 53)	Siswa-Bazar	Khada	Ghughti	Captainganj	Laxmiganj
	Rs.	Rs.	Rs.	Rs.	Rs.
1st week	-/12/3	-/13/6	1/1/9	1/-/6	1/-/6 (upto 10-5-53)
2nd week	-/10/-	-/14/9 (upto 18-5-53)	1/-/9	..	..
3rd week	-/9/6	-/14/- (upto 23-5-53)			
4th week	..	..	..	..	..

LOCOMOTIVES AND WAGONS

232. Shri Jhulan Sinha: Will the Minister of Railways be pleased to state the total number of locomotives, wagons and coaches produced and imported during the current financial year so far and how it compares with the figures of the previous year for the same period?

The Deputy Minister of Railways and Transport (Shri Alagesan): A statement giving the information is placed on the Table of the House. [See Appendix II, annexure No. 71.]

BARSI LIGHT RAILWAY

233. Shri Gidwani: (a) Will the Minister of Railways be pleased to state whether it is a fact that the employees of the Barsi Light Railway Company have been served with a notice terminating their services from the 31st December, 1953?

(b) Is it a fact that the employees who have received notice would be continued in their position under the new management?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) It is the intention of the Government to absorb the staff in appropriate posts provided they are found suitable.

LEVEL CROSSINGS NEAR SAMBALPUR ROAD RAILWAY STATION

234. Shri R. N. S. Deo: Will the Minister of Railways be pleased to state:

(a) whether Government are aware that traffic is very often held up and inconvenience is caused at the level crossings on (i) Cuttack-Bhubaneshwar road near Cuttack station, (ii) Bhubaneshwar (New Capital)-Cuttack road near Bhubaneshwar railway station, (iii) Jharsuguda-Sundargarh road near Jharsuguda railway station and (iv) Sambalpur-Jharsuguda road near Sambalpur road railway station on the Eastern Railway due to proximity of the level crossings to the railway stations and shunting operations; and

(b) if so, what action Government propose to take in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, so far as the level crossings on the Cuttack-Bhubaneshwar road near Cuttack station and the Bhubaneshwar-Cuttack road near Bhubaneshwar railway station are concerned. The traffic on the other two level crossings is only very rarely held up and the question of providing road overbridges in replacement of these, therefore, does not arise.

(b) The work in respect of the level crossing near Bhubaneshwar Railway station has already been taken in hand. As regards the level crossing near Cuttack station, a scheme for an overbridge is being examined in consultation with the Orissa Government.

SINGARENI COLLIERIES

235. **Shri Heda:** Will the Minister of **Labour** be pleased to state:

(a) the extent of loss of life and injuries caused to persons in the accident in the Birley pit in Singareni collieries on the 29th October, 1953;

(b) the causes of the accident;

(c) whether any Committee is being set up to enquire into the causes of the accident; and

(d) if so, the nature and personnel thereof?

The Minister of Labour (Shri V. V. Giri): (a) The accident resulted in serious injury to one coal loader and slight injury to another.

(b) The accident was caused by an air-blast generated by falling of roof in a goaf 250 feet away which blew the workers over.

(c) No.

(d) Does not arise.

AIR CONDITIONED COACHES

236. **Shri Karni Singhji:** Will the Minister of **Railways** be pleased to state:

(a) whether it is contemplated to provide air-conditioned coaches over the Northern Railway with particular reference to Bikaner and Jodhpur Divisions; and

(b) if so, by what date the same are expected to be introduced?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). At present Metre Gauge air-conditioned public traffic carriages are not available on the Indian Railways. The construction of a prototype Metre Gauge air-conditioned coach is in hand. It will be followed by the construction of such coaches on a programmed basis. When such coaches become available their allocation to the various Railways including the Bikaner and Jodhpur Divisions of the Northern Railway will be duly considered.

On the Broad Gauge of the Northern Railway a daily air-conditioned service is running on the following trains:—

31/32 Frontier Mails: Delhi-Amritsar.

61/62 Calcutta Mails: (Delhi-Howrah and Delhi-Kalka).

305/306 Kashmir Mails: Delhi-Puthankot.

FRUIT PRESERVING INDUSTRY

237. **Shri Biren Dutt:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that the Planning Commission has endorsed the need for developing the fruit preserving industry in Tripura;

(b) whether it is a fact that for want of such industry, a large quantity of pine-apple and jack fruits are wasted every year; and

(c) if so, whether Government propose to take any steps in the matter?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) No.

(b) Since the partition, disposal of surplus fruit produced in Tripura has become difficult. Wastage occurs on account of loss of established markets in the neighbouring districts of East Bengal.

(c) The State Government is starting a scheme to introduce Fruit canning as a cottage industry in the State.

OVERCROWDING ON TRAINS BETWEEN UDAIPUR AND DELHI

238. **Shri Bheekha Bhai:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that only one direct bogie is attached to the trains running between Udaipur and Delhi;

(b) whether it is a fact that the direct bogie often does not contain any inter and third class accommodation;

(c) whether it is a fact that passengers for intermediate stations travel in this bogie; and

(d) if so, what steps Government propose to take to remove overcrowding in this bogie?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) No, Sir, except on the very rare occasions when the proper type of coach is not available.

(c) and (d). The checking staff have instructions to see that the accommodation set aside for through passengers is not allowed to be utilised by short distance passengers, yet it is possible that some passengers for intermediate stations do manage to travel in it. Complaints received in this respect by the staff are investigated and suitable action is taken on the spot.

COAL MINES WELFARE FUND

239. **Shri K. K. Basu:** Will the Minister of Labour be pleased to state:

(a) the total amount collected so far under the Coal Mines Welfare Fund; and

(b) what proportion of the sum has so far been utilised for welfare activities?

The Minister of Labour (Shri V. V. Giri): (a) About Rs. 7·67 crores up to the 30th September 1953.

(b) About 51 per cent.

मार्गरीन

२४०. **श्री बलवन्त सिंह महता :** क्या कृषि तथा खाद्य मंत्री यह बताने की कृपा करेंगे :

(क) भारत में मार्गरीन का वार्षिक उत्पादन क्या है ;

(ख) भारत में मार्गरीन के कितने कारखाने हैं ;

(ग) मार्गरीन में पौष्टिक तत्व कितना है ; तथा

(घ) इसे किन तत्वों से बनाया जाता है ?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) The annual production of Margarine during the last five years was as follows:—

1949	424 tons.
1950	673 tons.
1951	698 tons.
1952	480 tons.
1953 (Jan. to October).	470 tons.

(b) There is only one factory which produces Margarine on a commercial scale.

(c) Margarine is a substitute for butter and is not deleterious to health.

(d) It is manufactured from hydrogenated vegetable oils like groundnut oil, cocoanut oil, sesame oil etc., but does not contain all the elements of butter.

GAZETTED POSTS IN P. & T. DEPARTMENT

241. Shri Waghmare: Will the Minister of Communications be pleased to state the number of gazetted posts in the Posts and R.M.S. Departments which were already in existence but which were upgraded from class II to class I and from class I junior to class I senior during the last three years?

The Deputy Minister of Communications (Shri Raj Bahadur): No posts were upgraded from class II to class I or from class I junior to class I senior scale. Only certain re-adjustments were made in the posts existing already.

यू० पी० में छात्र आन्दोलन

२४२. { श्री रघुनाथ सिंह
श्री एन० एम० लिंगम
डा० राम सुभगसिंह

क्या रेल मंत्री यह बताने की कृपा करेंगे

(क) यू० पी० में हाल में हुये छात्र-आन्दोलन में कितने स्टेशनों पर आक्रमण किया गया ;

(ख) कितनी गाड़ियों को रोका गया अथवा उन पर आक्रमण किया गया ; तथा

(ग) कितने रेल कर्मचारियों को चोट आई तथा रेलों को कुल कितनी क्षति हुई ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 20 Stations.

(b) 14 trains.

(c) 9 Railway employees were injured. The loss suffered by the Railways amounted to about Rs. 2,300.

CHITTARANJAN LOCOMOTIVE FACTORY

243. Shri Jethalal Joshi: (a) Will the Minister of Railways be pleased to state how many locomotives were manufactured in Chittaranjan Locomotive factory in the year 1952-53?

(b) How many of them have been put into use?

(c) How many of them have been withdrawn as being unfit?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 33.

(b) 32.

(c) 7 were withdrawn temporarily for repairs to their cylinders.

काम दिलाने वाला दफ्तर, दिल्ली

२४४. श्री नवल प्रभाकर : क्या श्रम मंत्री यह बताने की कृपा करेंगे :

(क) दिल्ली के काम दिलाने वाले दफ्तर में १९५१-५२ में प्रति मास कितने व्यक्ति पंजीकृत हुये ; और

(ख) इन में अनुसूचित जातीय व्यक्ति कितने थे ?

The Minister of Labour (Shri V. V. Giri): (a) and (b). A statement is placed on the Table of the House. [*See* Appendix II, annexure No. 72].

EMPLOYMENT EXCHANGES IN MADRAS

245. Shri Veeraswamy: Will the Minister of Labour be pleased to state:

(a) the number respectively of Graduates, Under Graduates and Matriculates who registered their names in the Employment Exchanges in Madras State from 1st January, 1953 to end of October 1953; and

(b) the number of candidates under each category given employment?

The Minister of Labour (Shri V. V. Giri): (a) and (b). Statistics for the month of October 1953, regarding educated persons are not available. The figures for the period, 1st January to 30th September 1953, are as follows:—

Category	No. registered	No. placed in employment
(1) Passed matriculation but not passed intermediate examination.	37,122	4,980
(2) Passed intermediate examination but not taken a degree.	5,590	870
3) Graduates.	4,025	864
TOTAL	46,737	6,714

Dated.....25.11.20

THE PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

HOUSE OF THE PEOPLE

Monday, 30th November, 1953.

The House met at Half Past One of the Clock.

[MR. SPEAKER *in the Chair.*]

QUESTIONS AND ANSWERS

(*See Part I*)

2-39 P.M.

DEATH OF SHRI B. N. RAU

The Prime Minister and Leader of the House (Shri Jawaharlal Nehru): Sir, I beg your leave to refer to a sad event that took place in the early hours of this morning in the City of Zurich, Switzerland. It is customary in this House for reference to be made when a Member of this House or of the past Assemblies dies. It is not customary for such reference to be made in the case of a non-Member. I venture to make this mention here in regard to a person who was not a Member of this House, but who was nonetheless connected very intimately, if I may say so, with this House, and more especially the Constitution under which this House is functioning. I refer to Shri Benegal Narasing Rau who died at about half past two this morning at Zurich. Shri B. N. Rau was, as the House knows, eminent in many fields and he served the country in various ways. I remember—it is a memory of long ago—seeing him as a contemporary at Cambridge in my own college, an exceedingly shy person who almost refused to talk to one because he was so shy. Since then he accumulated a great deal of learning and experience and scholarship. But he bore that great weight of scholarship always in an unassuming, unobtrusive way. I doubt if anybody saw him ruffled at all. Always he had that gentle way of approaching questions which surprised very greatly many people during the discussions in the United Nations where he represented India—because often in the United Nations discussions very hard words are said. But whatever was said, Shri B. N. Rau remained his quiet, gentle self without being ruffled or moved in the slightest.

He had a distinguished career. He was High Court Judge for a long time. But ~~we are specially~~ concerned with his activities which led to the Constitution. He was also, the House will remember, the Chairman of the Hindu Law Committee from which emanated various pieces of legislation which, in a different form no doubt, have come up before Parliament. He was intimately connected with this Constitution-making, and he might well be called one of the principal architects of our Constitution. In fact, while he was engaged in making the Constitution of India, he was sent for by the Government of Burma to make their Constitution, which he helped in making also. And then he played a very distinguished part in our foreign work. He was our representative and the leader of our U.N. delegations. He became the permanent representative of India in U.N. And last of all, only last year or nearly two years ago he

[Shri Jawaharlal Nehru]

was elected to the International Court at the Hague.

In spite of this prolonged record of service he was not an old man. He was slightly older than I am—and I do not consider myself too old to do work yet. As I said, he was a contemporary of mine for a while at Cambridge. He had been ill for a long time, and for the last fortnight or so we had been led to expect that he would not recover. Nevertheless his passing away is a matter of sorrow and shock to all of us who looked upon him as the perfect civil servant in one way, and also as an ideal servant of India in other ways too.

So I think it is right that mention of the passing away of such an eminent son of India should be made in this House.

Mr. Speaker: Although, as stated by the hon. the Leader of the House, it is not the practice in this House to make references to the passing away of non-Members, either of this Parliament or its predecessors, when the hon. the Leader of the House asked me as to whether I could permit him to make a reference, I instinctively felt that I must, because the case here is quite exceptional. Apart from the unique personality of Mr. B. N. Rau and his eminent services to the country, what weighed most with me was that he was, as it were, interwoven in our present parliamentary life. He worked for it during the last few years of his life, and we all know what a valuable document in the form of the Constitution we have got. He was also the architect of the Hindu Law reform Bills. Thus his association with Parliament or the Legislature was so extensive and so wide that it is only technically that he was not a Member of Parliament. Apart from that, of course, he was an eminent Indian and it is but proper that we all should gratefully remember him and express our sorrow at his sad demise at a comparatively, (as the Leader of the House said), young age.

We may send our condolences to his family in their sad bereavement. I entirely associate myself with all that the Leader of the House has said.

The House may stand in silence for a minute as a mark of respect.

The House then stood *in silence for a minute.*

PARLIAMENTARY PROPRIETY

Shri H. N. Mukerjee (Calcutta. North-East): Sir, may I have your permission to mention a matter which has important implications in the context of our parliamentary life today? I submit that the Minister of Commerce and Industry, when he spoke on the 25th November in reply to the discussion of his motion for consideration of the Dhoties Bill, chose to use certain expressions regarding Communist Members of this House and particularly one of them, Mr. Gopala Rao, which were an unambiguous reflection on their *bona fides* and were therefore equally an unambiguous reflection on the House. I submit if I were present at that time I certainly would have drawn the Chair's attention to the Minister's lapse. But I happened to be in a meeting of the Business Advisory Committee, and I have taken the earliest opportunity of bringing the matter to your notice.

The Minister said in the course of his speech—I am quoting from pages 2102—2112 of the cyclostyled report:—

> "Mr. Gopala Rao asks: 'What have you done'? Must I give this Rs. 3½ crores to Mr. Gopala Rao so that he can fight an election? Then it is very logical! Give the money to him.
>
> Shri Gapala Rao: That means you refuse to learn.
>
> Shri T. T. Krishnamachari: I refuse to yield any place to communism. I refuse to accept your *bona fides*. I refuse to believe that you do any good to the people. I refuse to believe that anything

good can come from that section of the House."

Now, Sir, it is common knowledge, I submit, that parliamentary propriety demands—they laugh best who laugh last—parliamentary propriety demands that reflection must not be cast in debate on Members of either House of Parliament, and parliamentary language is never more desirable, as Erskine May puts it, than when a Member is canvassing the opinions and conduct of his opponents in debate—a point which Ministers of Government with enormous majorities at their back should very particularly be called upon to remember. The Minister, I submit, has imputed *mala fides* to the Members of the Opposition particularly to the Communist section of the Opposition, and questioned their *bona fides*. He has gone further and has insinuated by a stretch of imagination that I cannot appreciate, that certain moneys, if utilised for the handloom weavers would swell the election coffers of the Communist party. I beg of you, Sir, to give careful consideration to this point, particularly in view of the mass majority which the Government has behind it, and that is why I seek your protection against this kind of reflection being made particularly by a Minister of Government.

Shri S. S. More (Sholapur): May I seek a clarification, Sir, because the hon. Minister is supposed to address the Chair and he has said, "I refuse to accept your *bona fides*."

Mr. Speaker: Whatever one may think about the particular incident, to my mind, the point raised is a very serious and important one. Of course, the hon. Member who raised the point does not go so far as to say that there has been a breach of any privilege. That question does not arise and it is clear that no question of privilege is involved in this. As regards the other point that he made, I think the Chair should not express any opinion. But, in the interest of harmonious working of the House, I would certainly desire that all of us use very moderate and persuasive language and do not attribute motives to each other. That is the only thing that I wish to say. Thereby I do not find fault with the hon. Minister who uttered these words. Perhaps, on the spur of the moment, he was led by sentiment and gave expression to these views. All I mean is that we should try to avoid such attributing of motives. That is all.

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): May I submit, Sir, that I had not even the remotest idea of making any reflection on the conduct of the hon. Member concerned? So far as the Party is concerned, I must reserve to myself the right to say what I believe about the party.

Shri S. S. More: Outside the House.

Shri Punnoose (Alleppey): I would like to bring to your notice, Sir, that this hon. Minister has been repeating such things....

Mr. Speaker: Order, order.

Shri Punnoose: On one occasion, he referred to the parentage of one hon. Member. On another occasion....

Mr. Speaker: Order, order. The hon. Member will kindly resume his seat.

Shri H. N. Mukerjee: May I make a submission to you, Sir, and through you to the Leader of the House, who, unfortunately, to my mind, seems to forget that he is not only the leader of his party and his Government, but also of the House. I wish you, Sir, to convey to him that it is desirable for him to be in the House for longer intervals than he usually is. If he were present on the occasion when his colleague chose to make such remarks, he would have certainly intervened. I think Parliamentary decorum requires that the Leader of the House should be present for longer intervals in this place so that the kind of infraction of Parliamentary rules and proprieties which his colleague, I submit, has made, does not recur. That is a request which I have made much earlier and I repeat it with all the seriousness at my command.

The Prime Minister and the Leader of the House (Shri Jawaharlal Nehru): Sir, the hon. Member has, in making the suggestion about my being present here more, as well indirectly censured me for my previous behaviour in my not being present as long as I should have been. In doing so, he is, perhaps, going against the very point that he has raised. I do not myself see what relation it bears. It is not the business of the Leader of the House to sit in the House, if I may say so with all respect, to see that other Members behave. You are there, Sir, to see that they behave. Certainly, the Leader of the House and in fact, other Members and Ministers, should attend to their duties in this House. But, surely, the House will not desire that the Leader of the House or others should sit here when they are not required for any particular work, at the cost of other important work.

Shri Gadgil (Poona Central): May I ask one important question, Sir? Is it Parliamentary or is it not parliamentary for a Member to say that a particular political group or political party is not inclined this way or the other, or to challenge the *bona fides* of a particular political philosophy? Otherwise. what are we here for?

Mr. Speaker: I think we need not enter into an academic or problematic questions. The issue is very simple and I need not be called upon to express my opinion on the question raised by the hon. Shri Gadgil. Let us proceed straight to the next business. The Secretary will read a message from the Council of States.

MESSAGES FROM THE COUNCIL OF STATES

Secretary: Sir, I have to report the following two messages received from the Secretary of the Council of States:

(1) "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Council of States, I am directed to inform the House of the People that the Council of States, at its sitting held on the 25th November, 1953, agreed without any amendment to the Rehabilitation Finance Administration (Amendment) Bill, 1952, which was passed by the House of the People at its sitting held on the 17th November, 1953."

(2) "In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Council of States, I am directed to return herewith the Sea Customs (Amendment) Bill, 1953, which was passed by the House of the People at its sitting held on the 17th November, 1953 and transmitted to the Council of States for its recommendations and to state that the Council has no recommendations to make to the House of the People in regard to the said Bill."

PAPERS LAID ON THE TABLE

AMENDMENTS TO THE EMPLOYEES' PROVIDENT FUNDS SCHEME, 1952

The Minister of Labour (Shri V. V. Giri): I beg to lay on the Table, under sub-section (2) of section 7 of the Employees' Provident Funds Act, 1952, a copy of the Ministry of Labour Notification No. PF-536(2), dated the 28th October, 1953, making certain further amendments to the Employees' Provident Funds Scheme, 1952. [*Placed in Library.* See No. S-173/53.]

NOTIFICATION UNDER THE DELHI ROAD TRANSPORT AUTHORITY ACT, 1950.

The Deputy Minister of Railways and Transport (Shri Alagesan): I beg to lay on the Table a copy of the Ministry of Transport Notification No. 18-TAG(19)/53, dated the 10th September, 1953, under sub-section (3) of section 52 of the Delhi Road

Transport Authority Act, 1950. [*Placed in Library. See* No. S-174/53.]

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

Pandit Thakur Das Bhargava (Gurgaon): I beg to present the report of the Select Committee on the Bill further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1951 and to make certain consequential amendments in the Government of Part C States Act, 1951.

Some Hon. Members: It is not here.

Mr. Speaker: It is all in the Order Paper.

INDUSTRIAL DISPUTES (AMENDMENT) BILL—*contd.*

Mr. Speaker: The House will now proceed with the further consideration of the Bill further to amend the Industrial Disputes Act, 1947. Clause 3 has been under discussion along with the various amendments moved. Before I call upon Shri T. B. Vittal Rao, whose speech was unfinished last time, I should like to remind the House of the decisions of the Business Advisory Committee which I read to the House that day. The decision,—or I should say recommendation, which becomes decision of the House by general acceptance—is that the Bill should be finished in one day which means 4 hours. The House has discussed this Bill for 3 hours and 21 minutes. So, the time available now is 39 minutes, or, to speak in round figures, 40 minutes. I am stating this at this moment, so that when various hon. Members wish to speak now they will remember this. They have a choice before them. If they want to have the Third Reading without any discussion of any kind at all, they can go on with the clauses for a period of 30 minutes. Then, of course, all the clauses will be put and the Third Reading Motion also put and carried. If they want to have a little say then, they can divide the 40 minutes, 30 and 10 or 20 and 20 as they like. They may bear this in mind and carry on the discussion or debate on this Bill.

3 P.M.

Dr. Lanka Sundaram (Visakhapatnam): It will greatly facilitate our work if we knew how long the hon. Minister would take to reply to clause 3. It is the most contentious clause. If that time is deducted, the balance is available for the other hon. Members.

Mr. Speaker: Yes,—how long would the hon. Minister take?

The Minister of Labour (Shri V. V. Giri): I would like to have half an hour to reply.

Shrimati Renu Chakravartty (Basirhat): May I point out, Sir, that when you actually read out the timings given by the Business Advisory Committee, you also suggested that each Bill would be considered on its individual merits. Now, this is a very important Bill and if you had followed the discussions, you would have noticed that very important amendments have been made. Questions of principle are also involved. Therefore, I would suggest and would request that you may extend the time a little at least for this Bill.

Mr. Speaker: I may clarify the meaning of what I had said. When I read out the timings, the position was that there was a consolidated period—a certain number of days, say—two or three days—and in addition there was also a detailed period, say, a few hours, say—two or three hours. That meant, I said, that each Bill's importance would be taken into consideration. In addition, I had also in mind what the hon. Lady Member has said. We shall certainly bear that in mind, and I think it would be a good compromise, if I were to say that all these forty minutes may be taken by the hon. Members and the hon. Minister may have, in addition, half an hour to himself.

Shri S. S. More (Sholapur): Followed by the second reading?

Mr. Speaker: That would be for the second reading and the third reading—for all the remaining stages.

Shrimati Renu Chakravartty: That means that there will be no third reading.

Mr. Speaker: There will be the third reading, but no debate on the third reading.

Shri S. S. More: With due deference to you, may I point out that on certain measures we are, as a matter of fact, trying to be very brief; at the same time, we cannot avoid our responsibility for making constructive suggestions to the Government. As a matter of fact, if we stick meticulously to the recommendations of the Business Advisory Committee, our rules of procedure will be materially modified.

Mr. Speaker: The hon. Member will see that the House took one full day for the consideration motion.

Shri S. S. More: But we made very valuable suggestions.

Mr. Speaker: May be from his own point of view.

Shri S. S. More: No, from the House's point of view.

Mr. Speaker: Order, order. One full day has been taken for the consideration motion and then one full day—I would not say full day, but very nearly a full day—not all the four hours but slightly less was taken for the second reading motion along with the various amendments, and now we are going to have again seventy minutes today for the remaining stages: the balance of the second reading and the third reading. If the hon. Minister wants half an hour for reply and clarification of the whole position, and if hon. Members want to have still more time for the third reading, then certainly the position will be that they will have lesser time so far as the time available for the second reading is concerned. That is how it will work out. But unless we make an effort to shorten the speeches and explain what is in our minds in short, avoiding repetitions..... (*Interruption*) .....nothing now—...unless we do that, it is not possible for us to proceed with the vast legislative work that has to be put through. We have to see that we do not merely go on discussing the same subject over and over again, or speaking on a similar subject on the score that it is of great importance, because, after all, these matters were taken into consideration by the Business Advisory Committee and the representatives of various groups, parties—call them what you like—were present in the Business Advisory Committee. It is they who have decided the time-table that way, and we must give weight to their decisions.

Shri K. P. Tripathi (Darrang): Before the discussion proceeds, I want to move amendment No. 117.

Mr. Speaker: Now it is too late.

Shri K. P. Tripathi: There was a lacuna in the Bill which was discovered at the end. Therefore, I want to have the amendment made. I would not make a speech. The amendment is self-evident.

Mr. Speaker: The usual rule is that I do not accept a last-minute amendment unless it is an agreed one—agreed means agreed by all sections of the House. So, he might see; and if it is an agreed one, it might be permitted at any time. Otherwise, I would not waive notice under the rules for a discussion on an amendment which is put in after several speakers have spoken.

I am calling upon Shri Vittal Rao.

Shri Bansal (Jhajjar-Rewari): May I make a submission before you call upon the hon. Member to speak? (*Interruption*.)

Shri K. K. Basu (Diamond Harbour): I suggest that two hours may be allotted for the third reading, apart from the time already allotted. We are willing to sit longer hours.

Mr. Speaker: I may give my own reactions regarding sitting for longer hours. That suggestion absolutely ignores the position and condition of the Members of the Parliament Secretariat staff, who are called upon to work from 11 o'clock in the morning till 9 o'clock in the night. Some consideration has to be given to that aspect.

Pandit Thakur Das Bhargava (Gurgaon): Between 5-30 and 6-30, we do not find the quorum. That is the experience.

Mr. Speaker: That is right. It is another difficulty. Unfortunately, the staff is not free to go out and come in, as the hon. Members are. But whatever that may be, at the most you can have half an hour more: that is, half an hour for the clauses, half an hour for reply, and after that, half an hour at the most. That should be satisfactory. We cannot take up the attitude, "No, we must have as much time as we think is necessary".

Shri K. K. Basu: It is a very important Bill, Sir.

Mr. Speaker: We all know that it is very important. That is why it has been given more time.

Shri K. K. Basu: Why should we not sit from 12? People outside work for eight hours a day. Why should not the Members of the Parliament work for more than six hours?

Mr. Speaker: We shall have half an hour for the clauses; half an hour for the hon. Minister's reply; and then half an hour for the third reading.

Shri Bansal: Before you call upon the speaker who is due to speak, I want to make the submission that I have been trying to make. My submission is that there are a number of amendments which have been tabled. The hon. Minister himself has tabled a number of amendments, but we have had no opportunity of listening to his arguments as to what are the reasons for tabling those amendments. The procedure normally is that when the hon. Minister himself tables an amendment, he explains to the House the reasons, so that the other hon. Members while discussing their amendments may have an adequate opportunity of offering remarks on the amendments of the hon. Minister. One particular amendment of the hon. Minister is very important, especially because this Bill is here because of a tripartite agreement, and now the hon. Minister himself has brought in a very major amendment to that agreement. Therefore, I would request him, through you, that before he replies and before other hon. Members come forward to speak, he may explain to the House as to the reasons for bringing this amendment, so that I and other hon. Members may take his remarks into consideration while making our own observations.

Mr. Speaker: I think there is force in that argument. If there is a substantial amendment, which is a departure from the tripartite agreement—I do not know whether it is or it is not—but then, I think, the better course would be that after Shri Vittal Rao finishes his speech, the hon. Minister may explain the reasons for this amendment. Of course, the amendment is there and hon. Members know already what he means by it. The matter is before the House and hon. Members are not ignorant of the subject-matter of what the hon. Minister has in his mind. He may just have an opportunity of explaining that particular amendment: that would be his intervention in the debate. Finally, he may reply to the debate later.

Shri S. S. More: May I seek one clarification? The hon. Minister himself has said that this Bill is before the House in compliance with the tripartite agreement. Is it permissible for him to depart from that agreement through his own amendment?

Mr. Speaker: That is a different question. It does not make the amendment out of order. Who am I to decide the aspect pointed out by the hon. Member? Shri Vittal Rao.

Shri T. B. Vittal Rao (Khammam): Mr. Speaker, Sir, the other day I was referring to the inclusion of *badli* workers of textile mills who have put in 360 days during a period of twenty-four months. I suggested that they should be brought under the purview of this amending Bill.

[MR. DEPUTY-SPEAKER *in the Chair*]

Now, I proceed to deal with permanent, essential workers who have to perform continuous duties in seasonal factories. In many ways, these permanent workers who have to man certain machineries which have to be continuously kept running, are always at a disadvantage. For all ordinary purposes, considering their work, they are continuously employed, but unfortunately they are employed in seasonal factories. The mere fact that they are working in seasonal factories should not deprive them of the compensation that they are going to get under this Bill. You know, Sir, that whenever there is a strike—even a strike in which a legal notice has been given—these workers are not called off; they are asked by the unions themselves and persuaded by the unions themselves to go to work, and to deprive them of this compensation is to place them at a disadvantage which they are already labouring under.

Another amendment which the Government have moved is regarding the computing of 240 days for being qualified or eligible for this compensation. There, the Government have come out with an amendment that it should be annual leave on full wages, thereby meaning that they are taking away from the purview of this Bill workers who are on leave with half pay or who are on sick leave.

This is a very important thing. I cannot understand the Ministry of Labour interpreting one rule at one time in one sense, and another in another sense. I would recall to the Minister the Coal Mines Bonus Rules where 21 days grace is given for people who have been on leave or have been sick. While computing that I demanded an interpretation from the Ministry of Labour, and they said 21 daya leave means leave either with pay or without pay, with full wages or without wages. Now, in this particular Amendment which the Minister has thought fit to move, he has made it clear that it is leave with full wages.

I am connected with trade unions in the mines. There, when a worker is injured, or his bones are fractured, it takes time, nearly two to three months, to heal, and if that period is treated as on duty, very few more people will be eligible for this retrenchment compensation. By having that simple thing, *viz.*, leave with pay or without pay, you are not going to make many people eligible for this compensation, because you know the employers do not give leave very often. They give only when they are satisfied, and that too a very small amount of leave is given, and a person naturally requires some amount of leave. He generally goes without wages when he goes for any social function in his house or any calamity. And this question was not at all discussed in the Standing Labour Committee during July. So, I am forced to characterise this amendment as Government's solicitude to the employers.

Regarding compensation for retrenchment I have put in an Amendment qualifying "minimum of 15 days for every year of service". There are industries and there have been awards where compensation has been paid more than what is being stipulated here under this Amending Bill. There are concerns like the Imperial Tobacco Co. They were afraid of retrenching people. Now, after this Act is passed, there will be retrenchment. And this is a Company, a British concern, which is making huge profits. I may cite an example. When they took over one cigarette factory in Hyderabad some 20 years ago, they paid only goodwill to the tune of Rs. 10 lakhs to the company, and assured the owner of the Company that he will be given

Managing Agency for life. So, there are such companies which are making huge profits, especially these British companies, who can afford to pay more, and they must be forced to pay more. So, I would request the hon. Minister to accept my Amendment that retrenchment compensation should be not less than a minimum of 15 days.

Mr. Deputy-Speaker: There is too much of subdued talk in the House. Order, order. Hon. Minister ought not to go on speaking.

Shri V. V. Giri: I am sorry, Sir.

Mr. Deputy-Speaker: There is too much of talk in the House. I cannot hear a word of what is being said.

Shri T. B. Vittal Rao: Another Amendment which the Government have brought forward is setting off of leave compensation against the compensation for retrenchment. I am prepared to agree to the Amendment provided the compensation for the first 45 days leave is not set off. For the remaining period which is more than 45 days they may get compensation, and that particular period which is more than 45 days may be deducted from the retrenchment compensation. And these are things which will not cost any industry much.

Another Amendment which he has moved is that the worker will not be entitled to any compensation if he refuses to accept an alternative appointment to be provided to him in a concern of the same employer within a radius of the five miles. I am prepared to accept the Amendment if the previous service that the employee has put in in the other concern of the employer is taken into account. Otherwise, the Amendment has to be opposed.

There is a provision "whether there is an agreement or no agreement". I do not understand why specifically that "agreement" is put there. When there are Standing Orders and Rules, there may or may not be agreement. To insert the word agreement will every time force the employees to come to some sort of agreement, though it will be an unequal agreement for the employee. So that should be deleted.

Then, the provisions of this Amending Bill should not in any way deprive the workers of their rights which they have been entitled to. Of course, the Government have brought in an Amendment. But I would like it to be more clear so that, on the face of it, the provisions of this Chapter should not operate prejudicially to the rights already the worker has got.

With these few words, I commend my Amendments to the House.

Mr. Deputy-Speaker: Mr. K. K. Desai.

Shri K. K. Desai (Halar): I know that the time at my disposal is very short....

Shri Sarmah (Golaghat-Jorhat): May I submit one thing? Immediately before you occupied the Chair, the Speaker was pleased to opine that the hon. Minister would explain his Amendments, particularly certain important Amendments which he has brought in late. I refer to Amendment No. 37 particularly. We expected that he would explain his Amendments so that we could understand and reply. I refer to Amendment No. 37 particularly which excludes the tea plantation labour from the ambit of this Act.

Shri Bansal: And No. 45.

Mr. Deputy-Speaker: Does the hon. Minister like to intervene at this stage?

Shri V. V. Giri: Yes. So far as Plantations are concerned, it was understood at the tripartite meeting that it should be excluded, and I am only carrying out the spirit of the agreement. I would like to assure hon. Members who feel that it ought to be applied to Plantations also that certainly they have a right and I have a duty to bring forward this subject before the tripartite plantation labour conference and try to see how this can be done.

Shrimati Renu Chakravartty: Would the hon. Minister reply to the parts of the tripartite agreement which Mr. Tripathi read out in which he showed that actually during the proceedings there was no such thing as excluding plantation labour? It was only on certain specific points—holidays with pay etc.—on which objections had been raised. Therefore, plantation was included within the scope of the agreement.

Shri V. V. Giri: I can assure the hon. Member that it was not included.

Shri Bansal: What about Amendment No. 45? Has the hon. Minister to say anything about it?

Shri V. V. Giri: As regards Amendment No. 45 moved by me, I may explain the reasons which led to the framing of the Amendment and why I consider that it is not contrary to the spirit or even the letter of the corresponding provisions of the Bill. True, the provision in the Bill says that the compensation for lay-off payable to a workman during any period of 12 months shall in no case be for more than 45 days. This was one of the terms of the agreement between the employers and the workers and we just lifted it from the agreement and put it first in the Ordinance and then in the Bill. But the agreement did not say what should be done if an employer had to lay-off workers for prolonged periods after the first 45 days. Further, when the agreement regarding lay-off was arrived at, the proposal regarding retrenchments was not before the parties who had, therefore, no means of correlating lay-off with retrenchment. The problem had to be solved as to what should be done if an employer, having gone through 45 days of lay-off in the earlier part of the year, was forced by circumstances to lay-off his workers for prolonged periods in the remaining part of the year. In the absence of any provision for this in the agreement, was the employer to be allowed to lay-off his workers, if need be for several months, without paying any further compensation? Or was it reasonable to require the employer to retrench the workers, and pay them retrenchment gratuity, so that they can look round for alternative employment? If so, should the lay-off compensation already paid, be allowed to be set off against the gratuity payable? These were some of the questions which had to be answered before the provisions contained in the Bill could be effective.

The amehdment does not make payment of lay-off compensation, after 45 days, compulsory in all circumstances. After the first 45 days of lay-off, it is open to the employer to adopt any one of the three alternatives. He may enter into an agreement with his workers, regarding further lay-off, and this may or may not involve payment of compensation. If no agreement is possible, and the employer has to lay-off workers for further prolonged periods exceeding one week at a time, he may retrench his workers—his right is there—on payment of the prescribed gratuity, with a set-off of the lay-off compensation already paid. It is only when he is unable to enter into an agreement, and is unwilling to retrench his workers on payment of the prescribed gratuity that he is required to continue to pay lay-off compensation for a further period. We have only tried to tie up the two loose ends left by the agreement, and this we have done after knowing generally the opinion of some of the parties.

Shri Bansal: May I intervene for a minute, with your permission? The hon. Minister has raised two points. One point that he has raised is that this does not go beyond the letter and spirit of the agreement.

Mr. Deputy-Speaker: Does the hon. Member want clarification of any issue, or does he want to intervene in the debate?

Shri Bansal: I want to intervene.

Mr. Deputy-Speaker: I am calling upon Shri K. K. Desai.

Shri Sarmah: Mr. Deputy-Speaker, Sir, may I seek a clarification with your permission? The hon. Minister was pleased to say that in the tripartite agreement, plantation labour was excluded. I was not present there, I was not sure about that, but I ascertained the facts from Shri K. K. Desai, and Shri K. P. Tripathi who say it was not raised.

Mr. Deputy-Speaker: The hon. Minister has reiterated what he has already stated. According to him, it was excluded.

Shri Sarmah: It was not so. It was not excluded.

Mr. Deputy-Speaker: What is the good of the hon. Minister saying on the one side that it has been excluded, and the hon. Member saying on the other side that it has been included?

Shri V. V. Giri: I can only say that it has not been included. The point was raised, and it was not included.

Shrimati Renu Chakravartty: Would the hon. Minister mention the number of the page in the tripartite agreement, where this point has been made clear?

Shri V. V. Giri: There is no question of any mention of it in any page. It is a gentleman's agreement, in that way.

Shri K. K. Desai: Mr. Deputy-Speaker, Sir, as the time at my disposal is very short, I shall state very briefly the grounds on which I have moved three or four amendments.

As far as Amendments Nos. 8 and 19 are concerned, I have moved them with a view to ensuring that this legislation may not make inoperative the old laws which some of the States have already enacted. I find that Government themselves have come out with certain amendments, and so these may not be necessary.

In amendment No. 15, I seek to substitute the word 'compensation' in place of 'gratuity', in page 5, line 7. Government also have moved the same amendment. So I do not wish to say anything more on this point. The word 'gratuity' has got a specific meaning. Whatever compensation is paid for the lay-off period, may be confused in a court of law, and so, in order to avoid any litigation, I wanted the word 'compensation' to be put in for the word 'gratuity'.

In List No. 5 of the Amendments, I have given some amendments, and these were necessitated by the fact that the hon. Minister's somewhat longish amendment has sought to curtail the scope of compensation for lay-off, in the case of certain workers, with a view, as he stated just now, to confirm more or less with the spirit and letter of the so-called agreement. But I was afraid that the courts might take a broader view, and instead of curtailing the right of the workers in certain industries to be treated as not laid-off for the purposes of compensation, may even leave out the people, from getting any retrenchment gratuity, if they are retrenched in those industries. So, the amendments that I have moved to the hon. Minister's amendment lay down that as far as factories engaging more than 50 persons are concerned, the lay-off provision will apply to them, while as far as the retrenchment clause is concerned, it will apply to all the persons engaged in any industry, whatsoever, which is covered by the Industrial Disputes Act. In order to make the position clear, I have moved my amendment.

A question has been raised in the course of today's discussion, by Shri Bansal, that something new has crept into the Bill, by the amendment which the hon. Minister has proposed, and that it extends, to some extent, beyond the agreement that was reached at the tripartite conference. I believe that the amendment, which the hon. Minister has moved, is quite necessary. As lay-off is normally understood, it means intermittent lay-off. If persons engaged in an industry turn up at the mill gate, and do not get any work,

[Shri K. K. Desai]

that is considered intermittent lay-off, but that is for a day or two. But under the Bill as it stands, if a particular factory remains closed for 30, 40 or even 45 days, it will, in the first instance, be considered as a lay-off, because the stock has accumulated. If that is to be considered lay-off, the 45 days that are provided by the Bill for some other purpose, will be more or less consumed by this long closure of the mills. What is to happen on the 45th day? The hon. Minster explained by saying that two alternatives are open to the employer. If the employer wants to continue the closure for a further period, he has to make a choice between lay-off and retrenchment. If he decides to consider it as lay-off, he has to pay off the money for the further period of lay-off. If he chooses to retrench, he has to pay compensation, at the rate of fifty per cent. of the wages for all the year that the worker has worked.

I think that is a very reasonable amendment and nobody should raise an objection.

Now, Sir, I want to say a word about plantation. No doubt, as Mr. Giri has said before this House, there was no specific agreement whether the plantation labour should be included. That is true. There is no specific provision in the agreement, but, I think, it was not excluded. It is very definite that it was not excluded. And, if there are any persons who require to be helped by the lay-off provisions, it is the plantation labour. The plantation labour in this country more or less forms a big section of the working class population. They are no less than one million people. Their condition, compared to the workers working in other factories, it will be accepted on all hands, is worse. They have been treated very unfairly in the old regime. Some provisions have been made after we got independence to ameliorate their conditions. (*Interruption*).

Kindly listen to me just as I have listened to you.

After independence certain ameliorative measures have been taken and their conditions have become a little better.

Now, when an overall Bill is coming in to pay lay-off compensation to other factory workers, to deprive plantation labour of the benefit is, in my opinion, very cruel. It is also within the knowledge of everybody, that last year when plantation labour was laid-off, by an agreement the employers paid half the compensation. Though there had been no specific agreement at the Tripartite Conference, by practice they have agreed to do so. It is also true, particularly in South India, because of very heavy rains the workers, even if they want to work, cannot go to the plantations to work. It is not their fault that there are heavy rains and they cannot leave their houses. So, I think it is just that plantation labour should be included in this Bill.

With these few words, I want the House to support all the amendments which I have moved and not be carried away by certain difficulties which some of our colleagues might place before this House after I have finished my speech, because I know that particularly some opposition is sought to be created against the new amendment that Mr. Giri has now moved regarding what should be done after the 45 days lay-off is consumed. I think that if you do not accept this amendment what may happen is that whatever good we want to do to these people who are likely to be laid-off in the future will be taken away and the purpose of the Bill, which I said in the first reading of the Bill is merely deterrent, will be frustrated.

Shri Bansal: Sir, I will only confine myself to the amendment moved by the hon. Labour Minister to clause 3, namely amendment No. 45. While intervening in the debate, he said that this question could not be discussed at the last meeting of the Standing Labour Committee because that Committee was not discussing the question of retrenchment. I would remind him, Sir, most humbly that this point of lay-off compensation beyond 45 days was raised at that meeting. If he will refresh his memory, he will realise that what I am saying is correct. That point was raised and the Standing Labour Committee came to the conclusion that it will not be fair to extend the lay-off compensation beyond a period of 45 days. Sir, lay-off compensation cannot be acceptable for an indefinite period. If a factory or an industrial establishment is going to be closed on account of certain reasons beyond the control of the employer, then it is but reasonable that a certain limit must be placed on the lay-off compensation, and the period was unanimously agreed at the Labour Committee at 45 days. That was done despite the fact that the other question was raised. That is my reply to the hon. Minister's assertion that the Standing Labour Committee was not seized of this question.

Then, Sir, I would most humbly ask him, if he did intend to bring in this amendment, why did he not consult the parties who had signed this agreement. After all the All-India Organisation of Industrial Employers has got its headquarters in Delhi. The Employers Federation has got its headquarters in Bombay. Nowadays, distances are not very much. He could have rung up the Chairman or the Secretary of that Body; he could have called Shri Khandubhai Desai, he could have called other labour representatives hurriedly and arrived at an agreement. In the last sentence of his remarks he said that he had brought this in consultation with the parties concerned. I am authorised to inform this House, Sir, that this is an exaggeration of fact.

Shri S. S. More: Authorised by whom?

Shri Bansal: I am authorised by the Employers Organisation which was a party to this amendment, to put it very mildly, that this is very great exaggeration. I would have used a stronger phrase if a Minister of the Government of India was not involved. The All-India Organisation of Industrial Employers took the first opportunity of writing to Government that this particular amendment goes far beyond the agreement and therefore it will not be acceptable to them. I understand, Sir, that the Chairman of the Employers Federation of India has also sent the Labour Minister a telegram protesting against this amendment. It seems that the Labour Minister consulted some employers who came to see him. I do not know whether they were authorised on behalf of their organisations to enter into any commitments. But, Sir, I would most humbly suggest that it is not fair to the parties to the agreement to go back on a vital matter like this without consulting them. I am not going to discuss the merits of the case, Sir, because I think that this particular amendment goes far beyond the agreement. But, in the interest of future tripartite agreements, in the interests of the line which the hon. Minister himself is adapting, of bringing the parties together, it is necessary to keep the letter and spirit of those agreements. We all remember that when he took up office, the Labour Minister made a thundering speech saying that he was Enemy No. 1 of Adjudication and Compulsory Arbitration and that he was all for tripartite agreements. We have seen that thunder melt down by gradual stages under the fire of Harihar Nath Shastri and Khandubhai Desai. I have no objection to that, Sir, because I myself have felt that the Minister was going a bit too far in his early enthusiasm. But, I would most humbly suggest to him that if he wants tripartite agreements to be arrived at in future, it behoves him to keep them to the letter and spirit. It won't do to bring the parties together outside this House and make them come to certain agreements and then in this House himself be the first person to violate those agreements. I am suggesting this to him, Sir, because I am a believer in tripartite agreements. I have been very intimately connected with the tripar-

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tite machinery which has been in existence for the last 11 or 12 years. I think, Sir, I am the only person in the whole country who has the record of attending the largest number of meetings of that tripartite machinery. I can say before this House that whenever an opportunity has arisen where the employers and the workers have been called upon to enter into any tripartite agreement, both the employers and the workers have shown the spirit of give and take and those agreements have been kept to the last letter. I therefore want that such agreements are voluntarily agreed to in future and they are kept in a cordial and good atmosphere.

I must confess to this House that the amendment which he has brought forward will not only create suspicions in the minds of the people who have been willing to enter into those agreements but it will act as a definite deterrent. I know it is very difficult for the hon. Minister to withdraw his own amendment. I realise his limitations but I do suggest to this House that it was a mistake in which the Labour Minister landed himself. I have my sympathies with him but I suggest that when he brings about any amendment to this Industrial Relations Act, as he is going to do on a number of other points, he would consider this point and take the employers and the workers into his confidence. If he thinks that this amendment is going to benefit the workers or the employers let him convince them before moving an amendment before this House.

I have only one word to say about amendments 109, 110 and 111 of Shri K. K. Desai, which purport to substitute the word 'industry' in place of 'industrial und[illegible]ing'. The effect of this is going to [illegible] that even when a worker is working in a particular industry, it does not matter whether he has been working continuously, he will be entitled to claim continuous service. This will be going, Sir, far beyond the agreement and I would, therefore, suggest that Shri Khandubhai Desai may withdraw his amendment.

Shri K. K. Desai: Was there any agreement regarding retrenchment?

Shri Bansal: No.

Shri K. K. Desai: Then, how is it going beyond the agreement?

Shri Bansal: I withdraw my words as far as they relate to agr[illegible]nt, but I do suggest that he does not mean to say that even if a workman is not working in a particular undertaking but has been working in different units of a particular industry, that workman should be entitled to count that period for continuous service.

Shri K. K. Desai: If he had understood my amendment correctly, it will apply to retrenchment.

Dr. N. B. Khare: Can two hon. Members go on talking to each other like this, Sir?

Mr. Deputy-Speaker: The hon. Member ought not to intervene when two others are already interrupting each other.

Shri Bansal: I have great respect for Shri Khandubhai Desai, but the monopoly of understanding is not entirely his. Therefore, I suggest that he will kindly withdraw his amendment. I, however, support another amendment of his, which substitutes 'industrial worker' for 'workman'.

Mr. Deputy-Speaker: I am in the hands of the House. Now, the Speaker has stated that 1½ hours on the whole will be devoted to this Bill—half an hour for the hon. Members, half an hour for the hon. Minister and half an hour for the Third Reading. We started it at 3-10 P.M. and the first half hour is over now. The second half-hour is for the Minister's reply.

Shri Sarmah: I am only going to appeal to the Minister through you, Sir.

Mr. Deputy-Speaker: If hon. Members want to spend some more time on this Clause. I will cut it off from the time allotted for the Third Reading.

Shri Sarmah: This is an important piece of legislation and a land-mark in labour legislation. What I would submit is that in such a piece of legislation, however halting and faltering it may be, large chunks of labour should not have been excluded. Sir, it has been said that the matter of tea plantation was not included in the tripartite conference. I submit that the fault should not be laid at the door of the labourers. Naturally in such a matter, the employers are not expected to agree to it in a tripartite conference. Now, Sir, when there was a slight slump last year, a large number of labourers were laid off. In one tea company, as many as 17,000 labourers were thrown out of employment and literally on the street. This morning's paper amply showed that the price of tea shares has gone up like anything. What will happen to the poor labourers if they are thrown out and new ones are imported annually? I submit that the hon. Minister of Labour, who is a seasoned labour worker, will take up the matter without referring to the tripartite conference and see if he cannot include it in this Bill.

Considering the position of labour in India, it is travesty of justice, Sir, to include the words "unless there is any agreement to the contrary between him and the employer" in the Labour Minister's amendment No. 45. This phrase is, in my opinion, mischievous. On the one hand, there is the rich sturdy employer and on the other there is the starving labourer, who is not sure of his meals tomorrow. Under such conditions, can an agreement be justifiably brought in between the powerful employer and the poor starving ignorant employee. Some of the employees do not know reading and writing and usually their thumb impression is taken on papers. I submit that the Minister may be pleased to withdraw, at any rate, this phrase "unless there is any agreement to the contrary". An agreement is equitable and justifiable between equal contracting parties, but an agreement between a powerful employer and a starving employee has no meaning; it is a mockery. That is all that I have to submit, Sir.

Shri Bhagwat Jha (Purnea *cum* Santal Parganas): In support of my first amendment No. 30, my only argument is this. Workers in industrial establishments which are of a seasonal nature should also be given compensation for lay-off. I cannot do better than refer you to the opinion expressed by Mr. Dinkar Desai in the Standing Labour Committee.

So far as amendment No. 51 is concerned, I had already moved, and it was not accepted by the hon. Minister, that is that the worker will be disqualified if he does not present himself for work at the establishment during normal working hours at least once a day. My arguments are the same as I have already said. If the worker once comes to the factory for work and if he is not given work, it means that he will have to spend at least two hours. How can the worker, getting only about Rs. 100 a month, afford to waste this much time? If he does this, he will not be able to go out again to get another job for the day.

So far as my third amendment is concerned to what has been suggested that the workman who is the last person to be employed should be retrenched unless for reasons to be recorded, the employer retrenches any other workman. Here, a very long rope is given to the employer. Usually, the principle is that the last

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to come is the first to go and it has been qualified by another two lines—that "unless, for the reasons to be recorded", etc. I think this will give a long rope to the employer. He will give many reasons and record them. It is within his right and power and he can record so many reasons, even if the worker is not the last. Therefore, I suggest that these two lines should be omitted.

Only a few words more, and that is regarding amendment No. 45. I suppose that the hon. Minister has very rightly introduced this amendment. He is asking for payment of compensation save and except the forty-five days if this falls within a period of one year. Our friend sitting to the left here, Mr. Bansal, has said that the hon. Minister's thunder has melted under the fire of Shastri and Khandubhai. It is true. The fire has got two work. Once it melts away, it shines the thing. Probably, under the fire of Khandubhai and Shastri, the hon. Minister had to work, and if he does shine. of course, he is burnt. I feel that the hon. Minister is of the former type and he will brighten like gold. That remark is very uncharitable and that is not proper. With these words, I commend all the amendments that I have moved.

Shri S. V. L. Narasimham (Guntur): Sir, I have got only amendment No. 86. Only one amendment. That seeks to delete sub-clause (iv) of clause 25E. In my view, Sir, the retention of this clause will work not only injustice but also mischief. This clause states that if a section of the establishment is on strike, the worker is not entitled to compensation. The consequence of this will be apparent to those persons who are held to be responsible for the state of affairs. In my view, I really think that this will be working a great injustice to those persons who are not responsible for the conduct of work in a particular section. If this injustice is allowed to be done in one section, then it leads to trouble and retrenchment in other sections of workers. So, it causes not only injustice to a section of workers but does injustice to others; it pits them against those in another section. I respectfully submit that this division of workers, especially when we want to encourage the workers and give them facilities and want them to come under one union. has to be avoided. and the clause has to be deleted.

Shri K. P. Tripathi: May I now speak on my amendment No. 117?

Shri V. V. Giri: Amendment No. 117.—clause 25HH—that is now proposed to be moved—I accept it for this reason that it is a sort of a lacuna which I did not notice. The Government of Bombay also sent me a communication about this matter. I agree to the amendment.

Mr. Deputy-Speaker: I will treat No. 117 also as moved.

Shri Sinhasan Singh (Gorakhpur Distt.—South): Only two minutes.

Mr. Deputy-Speaker: Yes; only what has not been stated in the consideration stage.

Shri Sinhasan Singh: My amendment is about the seasonal employees and I plead that the hon. Minister should reconsider it. At least, Sir, in U.P. the major industry is the sugar industry and the sugar industry is a seasonal industry, but there are permanent employees in that industry all the same. In the agreement that has been referred to, there is reference to the fact that the permanent employees must be paid and must be treated as laid-off. There is at least one-third the number of the workers in a mill that are permanently employed. I have talked to Mr. Bansal and he himself has agreed with my point of view that there is some force in this argument that at least in the sugar industry—a major industry in U.P., the workers should be treated on a line with other workers in other industries and that they should be given, indeed, some preference over others. In my own district—Gorakhpur-Deoria, there are 27 sugar mills, and this provision to treat the workers as in the other industries should be made.

Secondly, Sir, there is one amendment which the hon. Minister has moved—No. 47. This amendment refers to lay-off compensation for a person who is offered employment in a mill which is within a radius of five miles of the establishment to which he belongs, that is, another establishment in the same town or village belonging to the same employer. Well, Sir, I request the hon. Minister to reconsider this amendment. This five mile radius will create hardship to the poor employee. In Bombay and other big cities, employee may be offered such alternative employment in different mills within a radius of 5 miles. Firstly, it was in the same establishment, but now, it is in another establishment which is within a radius of five miles from the original establishment. For instance, take a sugar or a jute or a cotton factory. A worker in any one of these factories will be asked to go to any factory which was not his own previously. In that case he may not be able to do the work in the new factory. Now, the words in the original bill which were the same establishment have been now materially modified and changed. It is said that Mr. Bansal has probably remarked that the hon. Minister has been influenced by Shri Khandubhai Desai to make changes in the bill even against the Tripartite Agreement but what is about this agreement and at whose instance? I do not know how, and why this provision has been made. This is a Bill where the hon. Minister wants really to provide relief for the labourers for being laid-off with compensation. But this alternative employment in an establishment within five miles will be putting the workers to great hardship. So, I request the hon. Minister to consider it and, if possible, withdraw the amendment. Let the clause, as it is, remain as provided in the Bill. This will itself create hardship, as I said in my speech on the discussion on the Bill.

Shri V. V. Giri: Before I comment on the various amendments moved before this House, let me refer to two points raised by my hon. friend, Dr. Lanka Sundaram. First, he asked for an assurance that the proviso to clause 25I to the Bill which says: "Nothing contained in this Act shall have effect to derogate from any right which a workman has under any award for the time being in operation or any contract with the employer" should be enforced and not departed from in any circumstances. That is equivalent to asking that the law should be enforced and not evaded or violated. Surely, it is the Government's duty to enforce every law that is passed by this hon. House and that duty will be performed in respect of this law as of any other.

The second point which he made out was that alternative work which an employer might give under clause 25E should not be such as to require technicians to do manual work. My humble submission is that Mahatma Gandhi taught us the dignity of manual and even lowly labour and practised it throughout his life. In recent times, our revered leaders including the President and the Prime Minister have, by personal example, tried to make us all realize the dignity of manual labour. Certainly, Sir, there should be no disgrace or humiliation done to the worker by the alternative employment that is given. And I am absolutely certain that our friends like Dr. Lanka Sundaram and the various trade unions and the trade union leaders that exist in every part of the country would certainly protect the worker in seeing that the alternative work that is given is of a tolerable nature. Moreover, when the

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parties agreed to this provision, in the agreement, they must have fully realized that such temporary allotment of work would be necessary and inevitable.

I shall give my views now on the various amendments. Under amendment 35, Shri Tripathi wanted that the exclusion from the lay-off provisions should be confined to seasonal establishments which are also intermittent. There will be very few establishments which are both seasonal and intermittent, and the effect of the amendment would be to bring in practically all seasonal factories within the scope of the lay-off provisions. This would be contrary to an important term of the mutual agreement and I must, therefore, oppose it.

The hon. Member then wanted, by amendment No. 38, that plantations should be included for the purposes of lay-off benefits. He quoted the Labour Investigation Committee's Report to support the claim for lay-off compensation. I have every sympathy for the plantation workers. I want to make it quite clear that I have every sympathy for the plantation workers, and to my friend Mr. Tripathi and others, and to the House, I assure that I have always stood by them. I shall do my very best to those workers. But so far as this matter is concerned, I beg to submit that the lay-off provision which was confined to industrial establishments comes under the Factories Act and the Mines Act, and I assure every Member on the floor of this House that at the earliest opportunity I shall have this matter brought up before the Tripartite Labour Conference. It does not mean that because there is no agreement, this matter will not be pursued. I have every sympathy with the plantation workers who have suffered a great deal and who are continuously suffering, and I wish to say that agreement or no agreement, this matter will be considered by Government in a sympathetic manner. If there is agreement, and I hope that there will be agreement,—I have great faith in the workers and employers coming to an agreement—but even if there is no agreement, Government will independently consider and sympathetically consider, what should be done and how this lay-off measure should be given to the advantage of the plantation workers.

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Under amendment No. 40, Shri Tripathi wanted that the standard of 240 days mentioned in clause 25B should be reduced to 200 days. The standard of 240 days with a number of qualifying exclusions is quite liberal and has been accepted for other enactments, such as the Factories Act and the Employees' Provident Fund Scheme. I am afraid that there is no case for reducing it to 200 days.

Regarding his amendment No. 49, that in clause 25B the period of lock-out or of suspension, discharge or dismissal should count as continuous service, I mentioned the other day the difference between clause (eee) and clause 25B which define the expression "continuous service". I said that the worker must choose between either 305 days and an exhaustive list of exclusions or 240 days and a limited list of exclusions. Lock-out has been included in the former. As for periods of suspensions, discharge or dismissal, I am sure that when a Tribunal or an agreement orders reinstatement, it would treat the period of absence as duty and that no special provision would be necessary. Where such a direction is not given, it may not be proper to treat these breaks as continuous service. I would, therefore, request the hon. Member not to press his amendment.

Similarly, I request my esteemed friend Shri Khandubhai Desai not to press his amendment. If in the long run by experience we find any harm is done this matter will be looked into.

Regarding the provision for set-off of lay-off compensation in the compensation payable for retrenchment, contained in my amendment No. 45, Mr. Tripathi said that these two compensations served two different purposes and that the one should not be set-off against the other. The maximum amount that will be set off is restricted to 22½ days' wages. I am afraid that unless this set-off is allowed, the burden on employers might be too much.

By his amendment No. 48 and 49, Shri Tripathi would remove from the discretion of the employer the right to decide whether the worker who is to be laid off can do any alternative work. The result would be that the matter will become a subject for adjudication. What workers want is ready wages and not prolonged litigation and it would, I feel, not be correct to multiply occasions for litigation. Moreover, as I have already stated, workers must uphold the dignity of labour. I am afraid that I cannot agree to amendments 48 and 49.

In his amendment No. 50, Shri Tripathi objects to the worker being asked to present himself for work at the establishment once a day. I do not think that this is an unreasonable demand. The worker does not get wages for staying at home and there is no reason why he should be given any compensation unless it is proved that he is available for work. Under the same amendment Shri Tripathi has brought out a relevant point, namely, why a worker laid-off should be prevented from supplementing his lay-off compensation with such work as he can readily get elsewhere. The employer is entitled to detain the worker for two hours before agreeing to pay lay-off compensation. This means that the worker may not be able to secure alternative employment. He may, if he tries, get for part of the day some light work for which he may get something. I, therefore, accept amendment No. 50 to the extent of deleting lines 40 and 41, even though they form part of the agreement.

Under amendment No. 53, Shri Tripathi suggests that notice of retrenchment is necessary even where the exact date of termination of service is mentioned in a contract if that contract mentions an option of renewal. When a specific date for termination of service is mentioned, I do not think that the worker can ask for further notice. He must proceed on the assumption that his services would be terminated on that date unless he settles the question of renewal in good time. I am afraid, therefore, that I cannot accept this amendment.

Under amendment No. 62, Shri Tripathi has suggested that the provisions of clause 25H should be as "prescribed in rules framed by Government". As this law forms part of the Industrial Disputes Act, 1947, Government have full powers to frame rules and this need not be specifically mentioned. The amendment is, therefore, not necessary.

Under amendment No. 115, Shri Tripathi would ensure that any higher compensation otherwise obtaining is paid in spite of the provisions contained in this law. This is already provided for by the proviso to sub-clause (1) of clause 25I.

My hon. friend Shri More has tabled seven or eight amendments. Several of these, as he himself realised in his speech, are the same as those moved by Shri Tripathi. He referred to three amendments in particular and I shall reply to them. He said that the word "seasonal" had not been defined and for that reason supported his amendment No. 79 for incorporation of the words "and which are certified to be entitled to the benefit of this Section by the prescribed authority after such enquiry as may be deemed necessary". It appears subsequently from his speech that he would not leave this matter to the appropriate Government which was only an executive authority and

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that he wanted the decision to be given by an appropriate judicial authority. The expression "seasonal factory" has not been defined in some enactments obviously because of the difficulty of defining it precisely. In the Employees' State Insurance Act that expression has been defined as a factory engaged in a number of listed manufacturing processes, such as cotton ginning or cotton or jute pressing, decortication of groundnuts, etc. We soon found that this definition was clearly inadequate as a number of factories not covered by the definition were proved to our satisfaction to be seasonal factories. The same difficulty would be encountered in defining what are intermittently-working factories. Moreover, the duration of the season may vary from one seasonal employment to another. It would, therefore, not be proper to fix any particular time-limit either. That was the reason why we preferred to leave this matter to the decision of the appropriate Government. In practice what might be done is for the various Governments to draw up a common list of seasonal factories in order to ensure uniformity of treatment. In a matter of this sort, I feel that the power can appropriately be exercised by the various Governments.

Shri S. S. More in his amendment No. 90 wanted to make the order of retrenchment mentioned in clause 25G applicable notwithstanding any agreement between the employer and his workers. I have always believed in encouraging mutual agreement between employers and their workmen. Shri More feels that an agreement might be iniquitous and be unfair to the weaker party. Workers have, sooner or later, to depend upon themselves for their strength and there is no reason why they should not progress by the method of trial and error. I am afraid, therefore, that I cannot support this amendment.

Shri Bansal: Will the hon. Minister go somewhat slowly, so that we can follow him?

Shri V. V. Giri: You will read it tomorrow, anyhow.

Shri Bansal: Sir, is he in order in saying that I can read it tomorrow. We would like to follow him as he speaks.

Shri V. V. Giri: I shall read it slowly, but in view of the fact that I am confined to a few minutes, I would like all I have to say may be before the House and before the public.

However, Sir, I shall with your permission read slowly and you may give me the indulgence of a few minutes more, if necessary for finishing what I have to say on each amendment.

Under amendment No. 91, Shri S. S. More wants that the order of retrenchment can be departed from only on grounds of inefficiency, physical disability or any other reasonable cause. I think that all these contingencies are covered by the expression contained in the Bill, namely, "for reasons to be recorded". Reasons have always to be satisfactory. Mere insertion of the words "good" and "satisfactory" would not, in my opinion, alter very much the safeguard to the worker. It must be recognised that this clause leaves some discretion in the hands of the employer, but that is intended. I feel, therefore, that this amendment should not be pressed.

Shri Vittal Rao has moved no less than ten amendments. Under amendment No. 7 he would omit the words "under an agreement" at page 3, line 35, presumably in order to include within the provision all lay-offs, whether under an agreement or not. The amendment which I have moved takes care of lay-offs under all conditions. I do not, therefore, think that this amendment is necessary.

Under amendment No. 11 he would treat a *badli* workman who has worked in an establishment for 360 days during a period of 24 calendar months as a regular workman entitled to lay-off compensation. The standard laid down in the Bill is one year's continuous service in the establishment. I do not think that this is onerous. Unless a *badli* workman puts in continuous service, he cannot be deemed to be a regular worker.

Under amendment No. 13 he would omit sub-clause (iv) of clause 25E. I am afraid that this is an integral part of the agreement and cannot be deleted.

Under amendment No. 16 he would prescribe a retrenchment gratuity at a rate not less than 15 days' average pay for every completed year of service or any part thereof in excess of six months. This would open the field for continual bargaining and adjudication. One of the main objects of these statutory provisions is to ensure that these matters do not go up for adjudication. I am afraid, therefore, I cannot agree to this amendment.

Under amendment No. 39 he would allow the benefits of lay-off compensation to workers in seasonal factories who are employed for more than 180 days in a period of 12 months. The result of accepting this amendment would be to encourage employers to discharge all such workers before they complete the prescribed number of 180 days. That will only further harm the workers. I am afraid, therefore, I cannot agree to this amendment.

What Shri Vittal Rao wants under amendment No. 46 is largely or wholly covered by the proviso to sub-clause (1) of clause 25I. It is clearly laid down that nothing contained in the Act shall derogate from any right which a workman has under any award for the time being in operation or any contract with the employer.

By his amendment No. 81 Shri Vittal Rao has suggested that in the case of underground workers in mines, an attendance of 190 days should be deemed to constitute one year's continuous service. He has quoted the provisions in the Indian Mines Act. Under section 51 of that Act, 12 months' continuous service is deemed to be completed by an underground worker if he has put in "not less than 190 attendances at the mine". Towards this number periods of lay-off and leave with wages will not count. In any case, the standard of 190 days cannot be accepted in view of the provisions of the agreement between the parties. If the parties agree to substitute 190 days for 240 days, we shall undertake an amendment of the law at the appropriate time.

Under amendment No. 83 Shri Vittal Rao would provide lay-off compensation for 45 days and agree to set off against retrenchment gratuity only lay-off compensation for days in excess of 45. This I have already dealt with earlier. I am afraid I cannot therefore accept this amendment.

Under amendment No. 93, Shri Vittal Rao wants to substitute the word "Act" for the word "Chapter". The whole of clause 3 becomes a Chapter of the Industrial Disputes Act, 1947 and that is why that word has been used.

Shri Khandubhai Desai has moved about ten amendments, some of which make good a number of omissions which seem to have escaped the attention of Government. Amendment No. 8 does not now seem to be necessary in view of my amendment No. 42.

I accept his amendment No. 15 which seeks to substitute "compensation" for "gratuity", occurring at page 5, line 7. I agree that this change is necessary in order to distinguish the compensation payable on retrenchment from gratuity payable otherwise to workmen.

Amendment No. 19 is, I think, not necessary, for this Act would not be the proper place for declaring that nothing contained in any other Act of the appropriate Government shall have the effect of derogating from any right which a workman has under any award or contract.

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I see that amendments 107, 109, 110 and 111 are calculated to apply the definition of one year of continuous service contained in clause 25B to both lay-off and retrenchment. Though compensation for lay-off would be available only in factories and mines covered by the expression "industrial establishment", retrenchment compensation will be available in all establishments falling under the expresion "industry" within the meaning of the Industrial Disputes Act, 1947. That being so, the wording of clause 25B must be such as to apply to both "industrial establishments" and "industry". I would, therefore, recommend acceptance of all these four amendments.

Amendment No. 113 seems to be for clarifying the position that clause 25F, relating to retrenchment, applies to all establishments covered by the expression "industry". This seems to be only a clarificatory amendment. I would therefore recommend its acceptance.

Amendment No. 114 also seems to be a purely formal one and I have no objection to accepting it.

I may briefly refer to my own amendments. Amendment No. 37 restricts the provisions relating to compensation for lay-off to factories and mines. This was the original intention behind the agreement and must be made clear.

Amendment No. 42 is only a clarificatory one which says that the lay-off permissible towards calculation of continuous service may be under an agreement or under any Standing Orders or under this Act or any other law.

Under amendment No. 44, the intention is to allow towards continuos service only leave with full wages enjoyed by workmen. It is not the intention to allow for purposes of continuity of service, leave sometimes allowed on half pay or no pay.

Amendment No. 45 provides for a situation which I have already explained at great length and I do not propose to take any more of the time of the House on the same. I have made my position clear. I try to follow the spirit and letter of the agreement, and I stand by what I have said.

Amendment No. 47 is intended to permit the employer to offer alternative employment in one of his establishments in the same town or village situate within a radius of five miles from his main establishment. Unless provision to this effect is made, it might be impossible for the employer to provide alternative employment.

Amendment No. 54 is the same as amendment No. 15 given notice of by Shri Khandubhai Desai, for substituting the word "compensation" for "gratuity" at page 5, line 7.

Amendments 57 and 59 are purely formal ones substituting the word "category" for "class". Industry has represented that the expression used is 'category' and not 'class'.

Amendment No. 63 is a formal one, clarifying the position. These amendments have been necessitated by representations received from both the parties after the framing of the Bill. It is an attempt to meet the viewpoints of the parties affected by the Bill and I would, therefore, request the House to accept them.

I will now deal with all the other amendments together as they are not numerous.

I am afraid I cannot accept Shrimati Subhadra Joshi's amendment No. 75 as it will have the effect of giving retrospective effect to the provisions of this Bill. Also, Shri K. P. Tripathi's amendment No. 115 I would not accept. I would not accept Shri B. P. Sinha's amendment No. 77 which seeks to substitute the words "are employed" for the words "on an average per working day have been employed in the preceeding calendar month". The provisions in the Bill prescribe a method of calculating the strength of an establishment. As the strength varies from day to day, it will be difficult to say whether an establishment is one in which less than 50 workmen are employed if the time of calculation is not fixed. The expression in the Bill is the one uniformly adopted in all enactments.

Amendment No. 60 of Shri K. P. Tripathi and Shri Bhagwat Jha also cannot be accepted as the employer must be given some discretion to depart from the rule of 'last come first to go' because of practical difficulties.

Shri V. Missir's amendment No. 99 cannot also be accepted as the limit of 50 for purposes of lay-off compensation, is part of the agreement and cannot be reduced to 25. For the same reason, amendment No. 32 standing in the name of Shri Sinhasan Singh and Shri A. N. Vidyalankar cannot be accepted. Shri A. N. Vidyalankar's amendment No. 34 would classify only establishments which work for less than six months in a year as seasonal. I am afraid, this is not a scientific way of finding out which are seasonal factories. For reasons already mentioned by me, the power of decision should rest with the appropriate Government. His amendment No. 36 is no different from lines 22—25 of page 3 which it seeks to supersede.

Under amendment No. 80 Shri A. N. Vidyalankar would make eligible for lay-off compensation workers in irrigation projects, hydro-electric projects, etc. I am afraid, these are not covered by the agreement and have not otherwise been agreed to by the Government departments concerned and therefore have to be left out for the present. Shri A. N. Vidyalankar's amendment No. 96 stipulating payment of an additional compensation does not seem to be necessary.

Shri Bansal's amendment No. 87 would restrict retrenchment compensation to factories and mines and leaves out a very large number of establishments now covered by the term 'Industry' within the meaning of the Industrial Disputes Act. I am afraid, this was never the intention in all the previous discussions with the parties. I must, therefore, oppose this amendment. His amendment No. 94 does not seem to be necessary for we have been assured that all matters provided for by this law will be conclusively determined by the provisions of this law and will not be open to adjudication or other scrutiny. My amendment No. 63 fully takes care of the point brought out by Shri Bansal.

Amendment No. 92 of Shri Vallatharas seeks to protect pregnant women and those on maternity leave from retrenchment or discharge during certain periods. While I have every sympathy with the suggestion, I am afraid that that would be more appropriate to include it in the Maternity Benefits Act. In fact, there are already certain types of protection in this regard in the various maternity enactments. If any further protection is required, the appropriate place would be those Acts and not this one.

Shri Bansal: The hon. Minister referred to my amendment just before this. What is that?

Shri V. V. Giri: I have left out a few amendments of certain hon. Members, but these all have been covered by my statement above. I see that I have also accepted amendment No. 117. I would request the House to accept the following amendments and reject the rest.

Shri K. K. Desai's amendments 15, 107, 109, 110, 111, 113 and 114. Shri K. P. Tripathi's amendment No. 50 in so far as the deletion of lines 40 and 41 on page 4. Shri K. P. Tripathi and Shri A. N. Vidyalankar's amendment No. 117 and my amendments Nos. 37, 42, 44, 45, 47, 54, 57, 59 and 63. These amendments may be accepted.

Mr. Deputy-Speaker: I will put these amendments first, which the Government are willing to accept and then the others.

[Mr. Deputy-Speaker]

The question is:

In page 5, line 7, *for* "gratuity" *substitute* "compensation".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In page 4, *omit* lines 40 and 41.

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In the amendment proposed by Shri V. V. Giri, printed as No. 37, in list No. 2—

for "25A to 25E inclusive" *substitute* "25A, 25C, 25D and 25E".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In page 3, line 29, *for* "industrial establishment" *substitute* "industry".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In page 3, line 31, *for* "establishment" *substitute* "industry".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In page 3, line 33, *for* "establishment" *substitute* "industry".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In page 4, line 46, *for* "workman" *substitute* "workman employed in any industry".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In the amendment proposed by Shri V. V. Giri, printed as No. 63 in list No. 2, in the proposed sub-section (2),

for "the provisions of any law" *substitute* "the provisions of any other law".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In page 3, *after* line 25, *add*—

"*Explanation.*—In sections 25A, 25C, 25D, and 25E 'industrial establishment, means a factory as defined in clause (m) of section 2 of the Factories Act, 1948 (LXIII of 1948) and includes a mine as defined in clause (j) of section 2 of the Mines Act, 1952 (XXXV of 1952)."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In page 3, line 37, *after* "(XX of 1946)" *insert*—

"or under this Act or under any other law applicable to the industrial establishment, the largest number of days during which he has been so laid-off being taken into acocunt for the purposes of this clause".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In page 3, line 38, *before* "wages" *insert* "full".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In page 4, *for* lines 11 to 13, *substitute*—

"Provided that—

(a) the compensation payable to a workman during any period of twelve months shall not be for more than forty five days except in the case specified in Clause (b)

(b) if during any period of twelve months, a workman has been paid compensation for forty five days and during the same period of twelve months he is again laid-off for further continuous periods of more than one week at a time, he shall, unless there is any agreement to the country between him and the employer, be paid for all the days during such subsequent periods of lay-off compensation at the rate specified in this sub-section:

Provided further that it shall be lawful for the employer in any case falling within clause (b) of the first proviso to retrench the workman in accordance with the provisions contained in section 25F, any compensation paid to the workman for having been laid off during the preceding twelve months being set off against the compensation payable for retrenchment."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In page 4, line 31, *after* "laid off" *insert*—

"or in any other establishment belonging to the same employer situate in the same town or village or situate within a radius of five miles from the establishment to which he belongs,".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In page 5, lines 12 to 14—

for "where any workman, who is a citizen of India, is to be retrenched and he belongs to a particular class of workmen," *substitute* "Where any workman in an industrial establishment, who is a citizen of India, is to be retrenched and he belongs to a particular category of workmen in that establishment,".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In page 5, line 17, *for* "clause" *substitute* "category".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In page 5, *for* lines 35 to 38, *substitute*—

"(2) For the removal of doubts, it is hereby declared that nothing contained in this Chapter shall be deemed to affect the provision of any other law for the time being in force in any State in so far as that law provides for the settlement of industrial disputes, but the rights and liabilities of employers and workmen in so far as they relate to lay-off and retrenchment shall be determined in accordance with the provisions of this Chapter."

The motion was adopted.

Amendment made:

In page 5, *after* line 25, *insert*—

"25HH. *Recovery of moneys due from employers under this Chapter.*—Any money due from an employer under the provisions of this Chapter, whether by way of compensation or by way of wages, may, without prejudice to any other mode of recovery, be recovered in the same manner as an arrear of land revenue or as a public demand by the appropriate Government on an application made to it by the person entitled to the money."

—[*Shri K. P. Tripathi*]

Mr. Deputy Speaker: The question is:

All the other amendments moved by other hon. Members, Shrimati Subhadra Joshi, Shri...

Shri Sarangadhar Das (Dhenkanal-West Cuttack): May I submit, Sir, that there may be some amendments that we may oppose and others which we may support, before you put them to the House.

Mr. Deputy-Speaker: Hon. Members would indicate which amendments they would like to support and which they would like to oppose. Otherwise, I shall have to go on reading one after another and make hon. Members understand what each amendment is. If the hon. Members want to divide on a particular amendment, I will put that amendment separately. I will put all the other amendments together.

Shri T. B. Vittal Rao: Amendment No. 108.

Shri Bansal: Sir, I beg for leave to withdraw amendments 73 and 87.

Shri A. N. Vidyalankar: I beg to withdraw all my amendments except that which has been accepted.

Shri K. P. Tripathi: In view of the assurance given by the hon. Minister, I beg to withdraw.........

Mr. Deputy-Speaker: I will first put this amendment to the House. Then, I shall come to withdrawals.

The question is:

> In the amendment proposed by Shri V. V. Giri, printed as No. 37 in List No. 2, add at the end:
>
> "and a plantation as defined in clause (f) of section 2 of the Plantation Labour Act, 1951, (LXIX of 1951)."

House divided: Ayes, 45: Noes, 186.

Division No. 2] **AYES** [4-30 p.m.

Achalu, Shri
Amjad Ali, Shri
Basu, Shri K. K.
Boovaraghasamy, Shri
Chakravartty, Shrimati Renu
Chatterjea, Shri Tushar
Chaudhuri, Shri T. K.
Chowdary, Shri C. R.
Chowdhury, Shri N. B.
Damodaran, Shri N. P.
Das, Shri B. C.
Das, Shri Sarangadhar
Deogam, Shri
Gidwani, Shri
Gopalan, Shri A. K.
Kandasamy, Shri
Kelappan, Shri
Khardekar, Shri
Khare, Dr. N. B.
Kripalani, Shrimati Sucheta
Mascarene, Kumari Annie
Mishra, Pandit S. C.
More, Shri S. S.
Nanadas, Shri
Narasimham, Shri S. V. L.
Pandey, Dr. Natabar
Patnaik, Shri U. C.
Punnoose, Shri
Raghavachari, Shri
Ramnarayan Singh, Babu
Randaman Singh, Shri
Rao, Dr. Rama
Rao, Shri Gopala
Rao, Shri P. Subba
Rao, Shri Vittal
Reddy, Shri Eswara
Rishang Keishing, Shr
Saha, Shri Meghnad
Shakuntala, Shrimati
Singh, Shri G. S.
Singh, Shri R. N.
Subrahmanyam, Shri K.
Sundaram, Dr. Lanka
Velayudhan, Shri
Waghmare, Shri

NOES

Abdullabhai, Mulla
Abdus Sattar, Shri
Agarawal, Shri H. L.
Akarpuri, Sardar
Alagesan, Shri
Altekar, Shri
Ansari, Dr.
Asthana, Shri
Azad, Maulana
Balmiki, Shri
Bansal, Shri
Barman, Shri
Barupal, Shri P. L.
Bhagat, Shri B. R.
Bhatkar, Shri
Bhatt, Shri C.
Bhawanji, Shri
Bhonsle, Shri J. K.
Bidari, Shri
Birbal Singh, Shri
Borooah, Shri
Bose, Shri P. C.
Chandrasekhar, Shrimati
Charak, Shri
Chatterjee, Dr. Susilranjan
Chaturvedi, Shri
Chaudhary, Shri G. L.
Chaudhury, Shri S. B.
Chavda, Shri
Chinaria, Shri
Choudhuri, Shri M. Shaffee
Dabhi, Shri
Das, Shri B. K.
Das, Shri N. T.
Das, Shri Ram Dhani
Das, Shri Ramananda
Datar, Shri
Desai, Shri K. K.
Desai, Shri K. N.
Deshpande, Shri G. H.
Digambar Singh, Shri
Dube, Shri Mulchand
Dubey, Shri R. G.
Dwivedi, Shri D. P.
Dwivedi, Shri M. L.
Gadgil, Shri
Gandhi, Shri M. M.
Gandhi, Shri V. B.
Ghulam Qader, Shri
Giri, Shri V. V.
Gohain, Shri
Gounder, Shri K. P.
Hari Mohan, Dr.
Hazarika, Shri J. N.
Hem Raj, Shri
Hembrom, Shri
Ibrahim, Shri
Iyyani, Shri E.
Iyyunni, Shri C. R.
Jagjivan Ram, Shri
Jain, Shri N. S.
Jajware, Shri
Jangde, Shri
Jena, Shri K. C.
Jena, Shri Niranjan
Jha, Shri Bhagwat
Jhunjhunwala, Shri
Joshi, Shri Krishnacharya
Joshi, Shri M. D.
Joshi, Shri N. L.
Kajrolkar, Shri
Kakkan, Shri
Kale, Shrimati A.
Kanungo, Shri
Kasliwal, Shri

Katju, Dr.
Keskar, Dr.
Khan, Shri Sadath Ali
Khuda Baksh, Shri M.
Kirolikar, Shri
Krishna Chandra, Shri
Kureel, Shri B. N.
Lakshmayya, Shri
Lallanji, Shri
Lingam, Shri N. M.
Mahodaya, Shri
Majithia, Sardar
Malaviya, Shri K. D.
Malliah, Shri U. S.
Mandal, Dr. P.
Matthen, Shri
Mehta, Shri Balwant Sinha
Mehta, Shri B. G.
Mishra, Shri S. N.
Mishra, Shri Bibhuti
Mishra, Shri L. N.
Mishra, Shri Lokenath
Misra, Shri R. D.
Mohiuddin, Shri
Morarka, Shri
More, Shri K. L.
Mudaliar, Shri C. R.
Mukne, Shri Y. M.
Musafir, Giani G. S.
Muthukrishnan, Shri
Nanda, Shri
Narasimhan, Shri C. R.
Naskar, Shri P. S.
Natawadkar, Shri
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Neswi, Shri
Nevatia, Shri
Nijalingappa, Shri
Pannalal, Shri
Parikh, Shri S. G.
Parmar, Shri R. B.
Pataskar, Shri
Patel, Shri B. K.
Patel, Shrimati Maniben
Patil, Shri Shankargauda
Pillai, Shri Thanu
Prasad, Shri H. S.
Rachia, Shri N.
Radha Raman, Shri
Rahman, Shri M. H.
Raj Bahadur, Shri
Raghunath Singh, Shri
Ram Dass, Shri
Ram Subhag Singh, Dr.
Ramaswamy, Shri S. V.
Ranbir Singh, Ch.
Rane, Shri
Roy, Shri B. N.
Roy, Shri Patiram
Rup, Narain, Shri
Sahu, Shri Bhagbat
Sahu, Shri Rameshwar
Saigal, Sardar A. S.
Saksena, Shri Mohanlal
Samanta, Shri S. C.
Sanganna, Shri
Sankarapandian, Shri
Satish Chandra, Shri
Satyawadi, Dr.
Sen, Shrimati Sushama
Shah, Shri R. B.
Shahnawaz Khan, Shri
Sharma, Pandit Balkrishna
Sharma, Shri D. C.
Sharma, Shri K. R.
Shivananjappa, Shri
Shobha Ram, Shri
Siddananjappa, Shri
Singh, Shri H. P.
Singh, Shri L. J.
Singh, Shri M. N.
Singh, Shri T. N,
Sinha, Dr. S. N.
Sinha, Shri Anirudha
Sinha, Shri Jhulan
Sinha, Shri K. P.
Sinha, Shri Satya Narayan
Sinhasan Singh, Shri
Snatak, Shri
Somana, Shri N.
Sunder Lal, Shri
Suriya Prashad, Shri
Tandon, Shri
Telkikar, Shri
Tewari, Sardar R. B. S.
Thimmaiah, Shri
Thomas, Shri A. V.
Tiwari, Pandit B. L.
Tiwari, Shri R. S.
Tiwary, Pandit D. N.
Tripathi, Shri V. D.
Uikey, Shri
Upadhyay, Shri S. D.
Vaishnav, Shri H. G.
Vaishya, Shri M. B.
Varma, Shri B. R.
Vyas, Shri Radhelal
Wilson, Shri J. N.
Wodeyar, Shri
Zaidi, Col.

The motion was negatived.

Shri Bansal: Sir, I withdraw my Amendments Nos. 87 and 94.

The amendments were by leave withdrawn.

Shri Bhagwat Jha: Sir, I withdraw my Amendments Nos. 30 and 51.

The amendments were by leave withdrawn.

Shri K. P. Tripathi: Sir, I withdraw my amendment No. 60.

The amendment was by leave withdrawn.

Shri A. N. Vidyalankar (Jullundur): Sir, I withdraw my Amendments Nos. 32, 34, 36, 80 and 96.

The amendments were by leave withdrawn.

Mr. Deputy-Speaker The question is:

In page 3, *for* lines 14 and 15 *substitute*—

"25A. *Application of sections 25C to 25F.*—The provisions of Sections 25C to 25E shall apply to all such cases which are pending before any Industrial Tribunal constituted under the provision of this Act or before any Appellate Court constituted under Industrial Disputes (Appellate Tribunal) Act, 1950 (XLVIII of 1950) but provision of Sections 25B to 25E inclusive shall not apply—"

In page 3, lines 17 and 18—

for "on an average per working day have been employed in the preceding calendar month" *substitute* "are employed"

[Mr. Deputy Speaker]

In page 3, line 20, *omit* "or".

In page 3, lines 20 and 21, *after* "intermittently" *add* "and which are certified to be entitled to the benefit of this section by the prescribed authority, after such enquiry as may be deemed necessary".

In page 4, *omit* lines 11 to 13.

In page 4, line 32, *omit* "in the opinion of the employer,".

In page 4,—

(i) *omit* lines 40 and 41; and

(ii) line 42, *for* "(*iv*)" *substitute* "(*iii*)".

In page 5, line 14, *for* "in the absence of" *substitute* "not withstanding".

In page 5, lines 17 and 18,—

> *for* "unless the reasons to be recorded the employer retrenches any other workman", *substitute* "unless on grounds of inefficiency, physical disability or any other reasonable cause the employer retrenches any other workman,".

In page 3, line 20, *for* "or" *substitute* "and".

In the amendment proposed by Shri V. V. Giri printed as No. 37 above, *after* "(XXXV of 1952)" *add*—

> "and a plantation as defined in clause (f) of section 2 of the Plantation Labour Act, 1951 (LXIX of 1951)."

In page 3, line 29, *omit* "and forty".

In page 3, lines 35 to 37,—

> *for* "under an agreement or as permitted by standing orders made under the Industrial Employment (Standing Orders) Act, 1946 (XX of 1946)" *substitute* "or locked out, or the period for which he has been suspended, or wrongfully discharged or dismissed,".

In page 4, line 32, *omit* "if, in the opinion of the employer,".

In page 4, line 36, *after* "employment also" *add*—

> "and provided further that the alternative employment does not derogate from the status of the worker".

In page 5, line 5, *after* "service" *add* "without option of renewal".

In page 5, line 25, *after* "persons" *add*—

> "as may be prescribed in rules framed by Government."

In the amendment proposed by Shri V. V. Giri printed as No. 63 in List No. 2, in the proposed sub-section (2), *add* at the end:

> "unless compensation otherwise obtainable is higher".

In the amendment proposed by Shri V. V. Giri, printed as No. 45 in List No. 2 in the second proviso—

> *after* "any compensation" *insert* "for a period above forty-five days".

In page 3, line 17, *after* "workmen" *insert* "or to any other establishment in which less than twenty five workmen".

In page 3, line 37, *add* at the end "or any other Act made by the appropriate Government".

In page 3,—

(i) in line 39, *omit* "and"

(ii) in line 42, *for* "weeks." *substitute* "weeks, and"; and

(iii) *after* line 42 *insert*:

"(d) he has been unemployed between the date of his dismissal or discharge and re-employment"

In page 5, line 31, *after* "Act" *insert* "or in any other Act of the appropriate Government"

In page 3, line 35, *omit* "under an agreement"

In page 4, line 19, *add* at the end—

"or worked in the establishment for not less than three hundred and sixty days during a period of twenty four calendar months"

In page 4, *omit* lines 42 to 44.

In page 5, line 7, *after* "equivalent to" *insert* "a minimum of".

In page 3, *after* line 25, *add*—

"(3) In an industrial establishment which is of a seasonal character if that there are departments in which more than five workers are usually employed for more than one hundred and eighty days in a continuous period of twelve months, such departments of the establishment shall not be treated as seasonal."

In page 4, *after* line 19, *add*—

"(2) The provisions of this Chapter shall not operate to the prejudice of any rights to which a workman may be entitled under the terms of any award, agreement or contract of service provides for a longer period and for more compensation."

In page 3, line 30, *after* "days" *insert* "or in a mine for not less than one hundred ninety days in the case of underground workers".

In the amendment proposed by Shri V. V. Giri printed as No. 45 in list No. 2, *for* the second proviso, *substitute*:

"Provided further that it shall be lawful for the employer in any case falling within purview of clause (b) of the first proviso to retrench the workman in accordance with provisions contained in section 25F, any compensation paid to the workman for the period more than maximum of forty-five days under clause (a) for having been laid-off for more than forty-five days during the preceeding twelve months, being set off against the compensation payable for retrenchment."

In the amendment proposed by Shri V. V. Giri printed as No. 63 in list No. 2 in the proposed sub-section (2) *for* "Chapter" occurring at the end *substitute* "Act".

In page 4, *for* lines 49 and 50 *substitute*—

"(a) the workman has been served with one month's notice in writing by registered letter with a form of acknowledgement of receipt, indicating the reasons for retrenchment and the"

In page 5, lines 16 and 17, *for* "the last person to be employed" *substitute* "the person having the last seniority"

In page 5, line 11, *after* "Government" *add* "and the Union Government"

In page 5, *after* line 18 *add*:

"Provided that—

"(a) the contract of employment shall be terminated except on pay day, or the end of a week, month or quarter.

(b) no notice of retrenchment ordischarge shall be given—

(i) to a pregnant woman after the fifth month of her pregnancy

[Mr. Deputy-Speaker]

till the expiry of forty days after confinement;

(ii) to a woman on maternity leave; and

(iii) to any employee during his ordinary holiday or on sick leave;

(c) the employee shall have the right to absent himself from work for not more than two hours a day and one full day in the week during the period of notice for the purpose of seeking employment;

(d) the employee who is served with a notice of termination or discharge shall be entitled to appeal before the expiry of the period of prescription to the Court of Enquiry against the notice, and the Court of Enquiry shall enquire into the existence of the reasons for termination and shall order payment of compensation by the employer to the employes if the employer fails to prove the existence of the reasons for termination".

In page 3, omit lines 19 to 25.

In page 4, omit lines 42 to 44.

The motions were negatived.

Mr. Deputy-Speaker: The question is:

"That clause 3, as amended, stand part of the Bill".

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Mr. Deputy-Speaker: There is an Amendment for a new Clause 3A. Is the hon. Member moving it?

Shri A. N. Vidyalankar: No, Sir.

Clause 4 was added to the Bill.

Clause 1.— (*Short title and commencement*)

Mr. Deputy-Speaker: Any hon. Member moving his Amendment?

Shri T. B. Vittal Rao: I beg to move:

In page 1, lines 4 and 5, *for* "24th day of October, 1953" *substitute* "1st day of August, 1953"

Pandit C. N. Malviya (Raisen): I beg to move:

In page 1, lines 4 and 5, *for* "on the 24th day of October, 1953" *substitute* "on the 28th day of July, 1953".

Mr. Deputy-Speaker: The question is:

In page 1, lines 4 and 5, *for* "on the 24th day of October, 1953" *substitute* "on the 28th day of July, 1953".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

In page 1, lines 4 and 5, *for* "24th day of October, 1953" *substitute* "1st day of August, 1953"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

The Title and the Enacting formula were added to the Bill.

Shri V. V. Giri: I beg to move:

"That the Bill, as amended, be passed".

Mr. Deputy-Speaker: Motion moved:

"That the Bill, as amended, be passed."

All the time that has been fixed by the Hon. Speaker for this Bill, together with 20 more minutes, we have already spent. Let this point be borne in mind. Shri A. K. Gopalan

Shri A. K. Gopalan (Cannanore): I only want to point out the assurance given by the hon. Minister of Labour, in regard to the inclusion of the plantation workers under the purview of this legislation, and I hope he will seriously consider it.

As far as the condition of the plantation workers is concerned, it has been pointed out by different hon. Members in this House, that it is worse than that of the other sections of the working classes in this country. There is no legislation to give them any relief, except the Plantation Labour Act, 1951. After the passing of that Act, there was opposition from the plantation owners, especially the British capitalists who form a majority for its implementation with the result that for the last two years, its implementation has been postponed.

The condition of the plantation workers is more miserable than that of any other section of the working classes. Ten days ago, I had to go to Wyanad, where nearly 15,000 workers had gone on a strike, demanding that the Plantation Act, that had already been passed by Parliament should be implemented. Even the canteen facilities that had been provided for these workers, who number about 28,000, had been taken away. Even the office clerks and others in the plantations in Nilgiris, Wyanad and other places, gave a month's notice to the planters, saying that they wanted to go on a hunger strike. Their demand was either they should get a bonus, or they should be allowed to see the balance-sheet of the plantations, so that they could satisfy themselves whether there was a profit or not. After some kind of an action by these people, the owners finally agreed to show them the balance-sheet.

Although there are about 12 lakhs of workers employed in these plantations, still, they have not been brought within the scope of this Bill. The hon. Minister has given an assurance that he will talk to the plantation owners, and see that they are also brought within the purview of this legislation. But we cannot believe it, for even the Act that had been passed by Parliament two years ago, has not been implemented. When Parliament has passed an Act, with so much of difficulty and a lot expenditure, if certain sections of the plantation owners are not going to implement it, what is the guarantee that even this new Act will be implemented, in the case of these plantations? Even though nearly three years have elapsed since the passing of the previous Act, it has not been implemented, and several times, requests have been made also for the withdrawal of that legislation. So, if the plantation owners, a majority of whom are British capitalists, are not going to implement the Act, or respect the Act passed by Parliament, certainly it is for Government to consider whether their plantations could not be confiscated so that Government may run them. If that Act had been implemented, a certain measure of relief would have come to the plantation labourers. But that has not been done. Even in the new Act, which is on the anvil, the plantation workers have not been included, which is a great injustice towards an important section of the labour population of this country. I strongly protest against this attitude of Government in not looking to the interests of the plantation workers, who are today suffering more than any other section of the workers, and also in not seeing to it that the Act already passed by Parliament is implemented. If in addition to all this, even this Bill, they are not to be included, it is certainly doing great injustice to them.

When it comes to the question of getting some money from the British planters, Government certainly seem to have a soft corner for them, and are not ready to implement even the very Act which has been passed

[Shri A. K. Gopalan]

already. I thought the hon. Minister would give us an assurance that that Act will be implemented first, and then the plantation workers will be included within the scope of this Bill. Judging from the past experience we have had, I am sure that unless very strong action is taken by Government against these British planters, who do not want to implement the Plantation Labour Act, that Act would be a dead letter. I very strongly protest against the attitude that Government have adopted towards these plantation labourers. I hope Government will see the great amount of unrest that prevails among these plantation workers, and take steps to get the Plantation Labour Act implemented and also bring the plantations within the purview of this legislation.

Shri V. V. Giri: I have nothing more to add except to thank the various hon. Members of this House, .or tho constructive criticisms they have placed before the House. I assure my hon. friend Shri A. K. Gopalan, that the criticism that he has made in the matter of implementation of the Act, and the application of lay—off, will be duly considered.

Mr. Deputy-Speaker: The question is:

> "That the Bill, as amendded, be passed."

The motion was adopted.

EMPLOYEES' PROVIDENT FUNDS (AMENDMENT) BILL

Mr. Deputy-Speaker: The House will now take up the Employees' Provident Funds (Amendment) Bill.

The Deputy Minister of Labour (Shri Abid Ali): I beg to move:

> "That the Bill to amend the Employees' Provident Funds Act, 1952, as passed by the Council of States, be taken into consideration."

The Bill seeks to remove some administrative lacunae in the Employees' Provident Funds Act 1952, which is a simple piece of legislation. The Employees' Provident Funds Act, 1952, fixes the principle in broad essentials, of a provident fund for workers, and leaves the details to be worked out under a scheme. The scheme framed for the establishment and administration of the Employees' Provident Funds was brought into operation by stages, and enforced in its entirety with effect from 1st November 1952. A legislation in respect of an entirely new activity covering a large number of workers in several industries scattered throughout the country can never be perfect in the very first stage itself, and requires improvement from time to time on the basis of actual experience. This Bill has been brought to remove the defects and deficiencies which have been noticed in the administration of the Act.

During the discussion of the Bill in the Council of States, a number of amendments were tabled to extend the Act, and the scheme to several other industries. But it is not necessary to amend the Act, for this purpose. According to sub-section (3) of section 1, the Act applies to six specified industries, in the first instance, and the intention is that other industries should be brought in, and for this purpose, powers vest in the Central Government under Section 4.

5 P.M.

Other industries have not been brought under the Act not because there is any lack of purpose on the part of Government but because their experience with the implementation of the scheme in the 6 industries has not justified any extension at this stage. The task of implementation has been extensive involving large-scale operations. There are plenty of loose ends which need tying up. To solve some of our difficulties, this Bill has been brought forward. Until the major outstanding issues are settled and the procedure is stabilised scientifically, it will be unwise to bring in other industries. A new scheme of this nature needs time, to take root. Voluminous legal interpretations, clarifications oral and written, and consultations all over the country were needed for overcoming the initial inertia of employers and workers themselves. A number of forms and returns were to be devised, accounting and banking arrangements were to be made and a provisional Manual of Operations framed. Arrangements for annual accounting, exemption and ultimate decentralisation needed our attention. Each of these operations involves considerable time and hard work. In spite of all these difficulties, we have made a good start.

The scheme has been applied te 1675 factories covering 13.36 lakhs out of 29½ lakhs of employees covering more than 45 per cent of factory workers. Exemption procedure has been evolved and exemption has been granted to 468 factories covering 8 lakhs of employees. Annual accounts for 1952-53 for over 5 lakhs of employees are under preparation and the current account of these employees is being checked up. We have collected nearly Rs. 5 crores on account of contribution and Rs. 16 lakhs on account of administrative charges. After making the demands for final settlement or dues on inaurance premia, Rs. 4 crores have been invested in various securities of the Central Government.

The task of amending the Act and the scheme finalising the manual for procedure and decentralising the scheme are engaging our attention. Some employers have contested the applicability of the Act and the scheme to their industries and even challenged the basis of application of the scheme to the scheduled industries. Some employers have also prevented Inspectors from inspecting factories. There has been delay in submission of returns and payment of dues. We are handicapped for want of powers to recover dues from exempted factories and to levy interest on delayed payments. Under the existing law, there is some difficulty for prosecuting companies or punishing some offences. Of course, a large number of employers are enthusiastically co-operating and it may not take long before the scheme is put on an entirely satisfactory footing. The progress made so far has been considerable and I do hope that in another year's time, we shall be able to stabilise all our plans and procedure and take on hand the question of extension of the scheme to other industries.

The other comments that we have received are regarding certain features of the Act and the scheme.

It has been objected as to why Government factories have been excluded from the operation of the Act, why infant factories have been given time for three years, why contributions are recovered from workers and why exemptions are granted at all. These issues were fully considered only last year by Parliament which decided on the provisions as they exist in the Act today. Exemptions are permissible under the existing provisions only if equal or better benefita may be available for the workers. No exemption is granted without prior consultation with the workers themselves. In fact, every successful exemption application has been so far a joint one.

Another question which is receiving our attention is regarding a pension or insurance plan for workers being added to provident fund benefits. We have in contemplation not only extension of the Act and the scheme but also diversifying the benefit provisions. A pension or an insurance scheme can be successful on the basis of certain amount of continuity of employment. Addition of new benefits is likely to lead to confusion until the procedure for the administration of existing benefits has been finalised. We will take the earliest

[Shri Abid Ali]

opportunity to plan for additional benefits as soon as we feel certain that conditions have become favourable.

As I have explained earlier, our main objective in bringing these amendments is to smoothen out certain administrative difficulties. All the amendments proposed proceed from some administrative difficulty or other although some of them also involve certain points of principle.

The amendment proposed in clause 2 is merely to enable us to take in a factory as distinct from an industry, at the joint request of an employer and a majority of the employees. The amendment in clause 4 is intended for removing the doubt that the scheme applied to all industries covered under the Act. Under clause 6 we are taking powers, primarily for recovering arrears from exempted factories. In clauses 8 and 9, certain benefits are being extended to exempted employees. Under clause 11 the right to inspect an exempted factory is being taken.

In clause 13, it is proposed to take powers for charging damages or penal interest on delayed payments of contribution or other dues of provident fund. In clause 15, powers are being taken to exempt classes of factories on economic or other grounds. In clause 17, powers are sought to be vested in the Central Government for removing difficulties. Amendments proposed in other clauses are either formal or of minor nature which do not call for special attention.

Although all these amendments have been framed on administrative considerations, some of them involve a certain measure of policy. For instance, the proposed section 14 B invests the appropriate Government with powers for recovering damages. The intention of the Section is to recover not only the normal interest but also some amount of penal interest as well from the employers who default in payment of provident fund dues. It has been our experience that large amount of contributions and administrative charges are kept unpaid for unduly long periods. There are powers for recovery of arrears by summary revenue process and also powers for prosecution where necessary. In the absence of a monetary penalty there will always be a tendency to delay the payment of provident fund collections by some of the employers. Happily, their number is very small.

Secondly, the Central Government are being vested with powers for exempting a class of factories on economic or other grounds, under the proposed sub-section (2) of section 16. A number of factories in certain industries are economically too backward to stand the burden of provident fund. A case in point is the handloom industry in South India. These factories are struggling for existence and the workers therein are facing unemployment. The handloom industry, up to a point, may be an appropriate case where exemption may be considered, if continued employment is to be secured to a worker, to the exclusion of provident fund benefits. No exemption will be granted without consulting the workers, the Regional Commissioners and the State Governments. The Central Government will apply stringent standards for exempting any class of factories and will not grant exemption unless they are completely satisfied about the need for it in the interests of the workers themselves.

Besides the uneconomic factories, there is another class of factories which deserve exemption. Certain Universities and charitable institutions are running factories for educational or charitable purposes. Such factories which come within the purview of the Act and the scheme may not be saddled with the liability of the Act and the Scheme. For these purposes the proposed power is sought to be taken.

Thirdly, Central Government are being vested with powers under the proposed section 19A for removing certain difficulties. A number of difficulties regarding interpretation and application have arisen from time to time and have held up the implementation of the scheme. Some of these disputes are still pending in High Courts. All these cases, in spite of the best wishes of all concerned are bound to take time. The simple issues specified in the proposed section which involve primarily questions of fact can be settled expeditiously by Government. Unless the proposed powers for settling doubts or difficulties are taken, it will involve considerable expense and time to resolve them, through courts of law. In exercising the proposed powers I may assure the House, the Central Government will take into consideration representations from all quarters and also take expert advice wherever necessary.

These in brief are the proposals in the amending Bill. These are primarily administrative and even consequential in nature. They do not affect the basic framework of the Act or depart from the original intentions. I have no doubt that the House will find them wholly acceptable. I request that the Bill may now be taken into consideration.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill to amend the Employees' Provident Funds Act, 1952, as passed by the Council of States be taken into consideration."

Shri Tushar Chatterjea (Serampore): I heard with attention the Deputy Minister of Labour speaking while introducing the Bill. He has dealt exhaustively with the working of the Provident Fund Scheme although I originally felt that he would simply deal with certain points about the amendments. Anyway, that has given me an opportunity of speaking in some detail about the working of the Scheme also. I have the privilege of being a member of the Board of Trustees of the Provident Fund and I happen to know how this scheme is working—perhaps a bit more than the Deputy Minister himself. Only the other day I attended a meeting of the Board of Trustees and I happen to know how things developed there. So, I propose to speak in some detail, not only about the amendments, but also about the principle and policy that has been just now mentioned in the Deputy Minister's Statement. The Deputy Minister has said that the main purpose of the Amending Bill is to remove certain Administrative difficulties and very little of basic policy is involved in it. If we carefully analyse what the amendments actually go to mean, we will find that the intention of the Government is not simply to remove certain administrative difficulties, but it is something more because they want to serve the interest of the employers in so far as they have proposed amendments by which more liberal exemptions can be granted and wider scope can be given, to the employers so that they can go out of the scope of the Provident Fund Scheme or at least utilise the Scheme to serve their own interest. It is correct that apparently certain broad things come out of this Amending Bill. Schedule I, in which the industries have been explained, has been a bit elucidated. That is quite good. Application of the Provident Fund Scheme to a factory, which is even beyond this schedule, has also been covered by this Act on the basis of employers and employees' joint agreement. It is also true that by way of removing administrative difficulties, really, protection has been given to employees of exempted factories. No doubt it seems that the Government has come forward to serve the interest of the workers, but to us who looked into the Bill more carefully and who have certain experience about the working of the Provident Fund Scheme—at least to me who knows how things go on in the Board of Trustees—something

[PANDIT THAKUR DAS BHARGAVA *in the Chair*]

[Shri Tushar Chatterjea]

more is apparent. To me it appears that the main purpose of the Bill is not so much to remove certain administrative difficulties as to lay down a new basis upon which methods can be formulated by the employers to deprive the workers of the benefit of the Provident Fund Scheme. That is the main point. I know—and most probably many others also know—that in connection with the provisions of this Bill Government have stated a number of time that the opinion of the labour will be taken and after considering the labour opinion, things will be finalised. Government may know that the different trade union organisations like the A. I. T. U. C. and I. N. T. U. C., have made a number of suggestions as to the way of improving the Provident Fund Act and all those suggestions were made from the point of view of the workers. For instance, it was demanded by the A. I. T. U. C. that the scope of the Bill should be extended to all factories and also the plantation labour. Another vital point was demanded by the labour—not only by A. I. T. U. C. but, so far as I know, by the I. N. T. U. C. also—that the claim for full contribution of the employers should be allowed even when the worker is working for less than 25 years. It was expected that when the Government is coming forward with an Amending Bill, at least some of the demands will be met. The Act could be improved in these directions, so that the workers' interest may be served. To our surprise, we find that the Government has come forward with this Bill just to serve the opposite purpose. The main point in this Amending Bill—that goes against the workers' interest—virtually is this. It has been said that any factory can be exempted from the operation of the Scheme on financial grounds. So far, the question of exemption came in only in connection with those factories that have their own Provident Fund Scheme. Now the Government has come forward with a proposal that even if a particular factory has no provident fund scheme of its own, it can be exempted from the scope of this Act, i.e. from the obligation of giving workers the benefit of the provident fund on financial grounds. Who will determine these Financial grounds? There is nothing in the amendment to say whether Government officers on their own will determine it or whether they will consult the labour also.

Shri V. V. Giri: 'Majority of workers' it is mentioned.

Shri Tushar Chatterjea: There is no such point in the amendment. Anyway, this is a very vital point, mainly because we have the experience that employers in general, in the course of working the Provident Fund Scheme, have tried their best to squeeze out concessions from the Government. As I said, being a member of the Board of Trustees, I had the privilege of looking into the working of the provident fund schemes in many factories and I experienced what a very big employers' combination like the I. J. M. A. did. Then, a number of engineering factory owners, a number of textile factory owners, right from the beginning are trying to take advantage of the loopholes that exist in this Act and the scheme, and they have not only tried to take advantage of the loopholes but they have also taken advantage of the position of provisional granting of exemption that the Government may make. Anyway, unless and until this particular amending clause is properly modified, unless and until proper guarantee is given that the question of determining the exemption on financial grounds will not be made without consultation with the employees' representative, unless and until that is done, there is every chance of this clause being misused and there is every chance of the employers taking advantage of this clause and influencing the Government to serve their own interests.

Sir, there is another very funny thing in this amending Bill. The Deputy Minister also has said and as we have also seen in the Bill—and perhaps the Government will say that by this amendment they have tried to accede to the demand of the labourers and it is this: the scope of the provident funds has been extended to such factories in which the majority of the employees and employers will jointly agree. If they jointly agree to come under this scheme, then even such a factory which is not in this schedule will be taken in. It is very good thing to say so, but actually we know from our own experience that the agreement of the employers and the employees is very difficult to achieve. I do not know of the concrete instance the Labour Minister has got with him. It may be one or two little instances, but for the majority of cases we know, when the employees want a particular advantage, then at once the employer steps in and disagrees with the employees and does whatever it is in his power to nullify it. Whenever employees in a particular factory feel that it is better for them to apply to the Government for inclusion of that factory within the scheme, then, it is quite natural, as we have seen from our own experience of labour movement, that the employer will step in and say, no. "I won't agree to your application. I won't agree to your demand. I won't have this included in the scheme." And, under the plea that the employer has not agreed to it, that factory will not be able to come under this scheme. So, in our opinion, this amending clause is nothing but a face-saving device. It is only to pacify the growing public discontent. It is only to show to the labour movement that "you have demanded that the scheme should be extended to other factories. Here, we have extended. In cases where employers and employees will agree, we will extend the scheme to that factory also." "So, we have acceded to your demand. We have recognized your demand. We have given you scope." But in practice, such a thing will never happen, for we know that employers and employees never agree on vital points on which employees' interests depend. So, on the one hand, that dangerous provision is here: a very wide and new provision for exempting any factory on financial ground, not only from the central scheme but also from any provident fund affair. On the other hand, to befool the public, some sort of palliative has been given; some sort of pacifying words has been said that if employers and employees agree, then we are ready to accommodate that factory in the scheme. From these things, the whole policy of the Government in amending this Bill has become quite clear.

Now, Sir, about the exemptions,—the Deputy Minister has said much about them. On that exemption question, we find that section 17 has been amended. The whole section has been re-drafted and placed as a substitute in the place of the old section. Now, we don't object to the question of exemptions. We are not opposed to exemptions as such, for, if actually any individual factory's provident fund scheme is better than the central scheme of the Government, then, certainly in the interests of the workers, we will demand that an exemption should be given. So, as a matter of principle, we are not opposed to it. But we must see how this exemption question is being viewed by the Government, how it is being executed by the Government and how, under the plea of giving the workers a better provident fund scheme, actually the employers are given a handle so that they can go their own way and deprive the workers, whenever they like, of the benefits. Sir, an amendment has been proposed about the rate of contribution. Originally, the position was this: that in factories where the rate of contribution is in conformity with the central scheme, or more favourable to the workers from the workers' point of view, that rate may remain. This was so in the original Act. But the amendment now is, it must be "not less favourable," in the place of "more favourable." What does it mean? It means nothing but this: that the Government wants that even a factory which applies for exemption can get exemption even if, in its scheme, the rules and the clauses are not better

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than the central scheme. Originally, the condition was that it must be better. Now, Government changes it to be 'not less favourable,' so that it may be equal to the Government scheme. We don't understand why a factory will get exemption, although in its provident fund scheme there is no such thing as "much better than" the central scheme. We cannot understand this. From this attitude of the Government, we feel that there must be behind the back of the Government the idea that the whole Act should be so amended as to suit or serve the interests of the employers. Perhaps the employers have demanded "why put that as 'more favourable'? That acts to the disadvantage. Why don't you change it to 'not less favourable'? Then we can very well make our provident fund scheme just as the central scheme and we can go in our own way."

Secondly, there is another very important thing. Although it looks a very little thing and has escaped the attention of others, it did not pass my attention, for, I happened to know the details of this scheme. It is this: and it is a very vital point. Exemption can be granted only when certain conditions laid down by the Government are fulfilled. If an employer does not agree to fulfil that condition, then the exemption cannot be granted to him. As I know the Board of Trustees after thorough discussion have formulated certain conditions; a number of conditions have been formulated. The real safeguard lies in the fact that those conditions must be fulfilled by the factory or employer wanting exemption. Now, in the amending Bill the provision regarding an employee or a class of employees has been brought in very carefully. In the original Act I find that the exemption to be granted to an employee or a class of employees is a sub-section under the section which says that exemption can be granted subject to certain conditions that Government may impose. Now, in the amending Bill to my surprise I find that the exemption for an employee or a class of employees has been taken out of that context and put separately and independently, so that this exemption may not be subject to the conditions. This, is a very dangerous thing. I know that the Board of Trustees have laid down a number of conditions. But cleverly this paragraph has taken out and put independently, so that no condition can be made applicable to it.

Secondly, Sir, there is another important thing. A new provision has been introduced in the Act. In the case of a factory which has got not only provident fund schemes of its own, but also gratuity, pension, or other benefits, exemption can be granted, if those benefits taken together, singly are not less favourable than the governing scheme. Quite good. In the case of the employers their opinion has been given due regard. But in this particular case, the question of taking the opinion of the employees has been completely disregarded. Now, if the employees of a particular factory feel that even though there exists a provident fund scheme or gratuity or pension, or any benefits like that, they must not go out of this Central Scheme, if they feel that the Central scheme is much better, or to some extent better than the benefits they receive under the rules of that particular factory, Government won't do it. If the emploeyr, on the other hand, wants, Government will grant exemption to him.

In Calcutta, from our experience we know of a number of factories in which the employers taking advantage of the backwardness of the workers, taking advantage of the ignorance of the workers, somehow or other manoeuvre and manage to get a petition signed by the employees by which they seek exemption. When the question of a number of employees or class of employees comes in, when it is to the advantage of the employers the opinion of the majority of the employees will be considered. That provision, we know has been taken advantage of by the employer to the detriment of the interests of the workers and in a number of cases such applications were sent for getting exemptions. But in a particular case where a whole factory is to be exempted on the ground of better benefit, in such cases there is no such clause; no such condition that the exemption can be granted only when a majority of the employees agree, or the majority of the employees want it. We do not understand why the whole exemption issue is dealt with by the Government only on the basis of the employers' demand. If the exemption is to be granted, it must be granted for the interests of the workers. We know that the conditions about exemption were formulated keeping in view the interests of the workers. But why then, in eliciting the opinion of the employees this vital question has been completely discarded. Exemption applications will be made by the employers; exemption applications cannot be made by the employees.

I know a number of cases in West Bengal where employees want that exemption should be granted. Employers do not want that exemption should be granted. Employees make petitions, but there is no such provision that on the basis of the employees' petition, Government can grant exemption. If the employer wants exemption for the sake of his own interest, Government is ready to grant exemption. While analysing the whole exemption affair, we find that there is some mystery behind it. It is really queer that the bigger the employer, the stronger is the urge for getting exemption. Who applied for exemptions? All the jute factories of Bengal got exemption; all the big engineering concerns of Bengal got exemptions; all the big textile factories got exemption. In regard to West Bengal about which I know a bit intimately, most probably 90 per cent. of the factory workers have been given exemption in this process. If all the jute factories get exemption, if all the engineering factories get exemption, if all the textile factories get exemption, then who else remains to get the benefit of the Central scheme. In the last meeting of the Board of Trustees I said that the Government has made the scheme in such a way that the original rule has become an exception and exemption has become the rule. The majority of the workers have got exemption: the majority of workers have got out of the Central scheme and only a minority of the workers are in the Central Scheme.

The other day the Deputy Minister of Labour gave certain figures in the other House. The number of workers who have exempted—8 lakhs: the number of workers that are in the scheme—5 lakhs. So, the majority are out of the scheme. The fun is this: the bigger the employer the stronger is the urge for getting exemption and the Government cannot but give exemption. The funnier thing is this: the entire process of giving exemption took about 8 months. During these eight months the employers were sending applications and the Government were considering them, and the workers were deprived of the benefits.

This is my own experience. I referred the matter to the Board. And the Chairman of the Board had to agree that he had heard that such things had happened.

Take for instance the jute factories of West Bengal. They applied for exemption in the month of January or so. Till October nobody could know if the jute factories had got exemption or not. The workers of the jute factories were complaining to us, "What is the matter? We do not know whether the factory has been exempted or not and whether we are under this factory scheme or the Government scheme, whether we will get this benefit or that benefit". If we go to the manager, the manager says, "Still the whole thing is in a provisional way, we have not yet got final exemption, so we are not bound to fulfil the conditions of the exemption". As long as this provisional agreement goes on, the employer is not bound to implement the conditions that have been laid down by the board of trustees. So, for these eight months the employer does not care to implement the conditions—because the exemption is a provisional exemption. And about the

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Central scheme, the Regional Commissioner or other officers also do not care to look into the affairs of the jute factories, look into how the board of trustees in jute factories work. They do not bother. They say "It is not yet final whether the jute factories have really got exemption or whether they are under the scheme; nothing is final; so we cannot do anything now".

Now, what exactly is the matter? I read the report of the Deputy Minister's speech in the Council of States. He said: all the exemption matters have been finalised after proper scrutiny by the members of the board of trustees; they have been properly scrutinised and examined and then everything has been done. That is, exemption has been given by the Government not in a haphazard manner but with the consent of the employees, representatives, etc. I am a member of the board of trustees. I know how things happened. Not even a full report was submitted before the board of trustees about the factories that wanted exemption.

Shri Abid Ali: Sir, I may be permitted to clarify the point. I never said that it was done with the consent of the board. I said when exemption applications come jointly signed by employers and employees, then the Regional Commissioner first makes investigation, then the report goes to the State Government, and then to the Provident Fund Commissioner. If the Central Government feels that exemption should be given, then the appropriate Government (the Central Government or State Government) notifies the exemption. And of course it is in accordance with the policy laid down by the board.

Shri Tushar Chatterjea: As I know from my own experience, the statement of the Deputy Minister is not correct. The point is that in not a single case was the exemption application signed by the employer and employee jointly. The applications were always signed by the employers and the consent of the employees was not taken in any single case. We referred to the matter in the board of trustees—not only we, representing the A. I. T. U. C. but if the Government cares to verify the opinion of their own pet organisation, the I. N. T. U. C., even that representative body very categorically said that in no single case, neither in the case of jute factory nor in the case of engineering or textile factory, the opinion of the employees was consulted. We put forward our point of view and our objection not separately. It is a matter of great gratification, it is a pointer that in the board of trustees all the six representatives of the employees agreed on most of the points. They put forward joint demands. They fought jointly. They took a united stand and criticised Government that their whole exemption policy is in the interest of the employers, and in no single case the union was consulted. The Chairman of that board had to admit: "Yes, in jute, things are really very difficult; you just send complaints; we will look into the matter".

Now, let me state another thing, and that is the question of condition. One very vital condition about that exemption is this that the factory must have its own board of trustees, in that board of trustees fifty per cent. must be representatives of employees and fifty per cent. representatives of employers, and there must be no casting vote for the Chairman who is an employers' representative. Apart from the functioning of that board. In most of the factories so exempted there does not exist any board at all. In most of the jute factories the board of trustees does not exist, for all practical purposes. The employer takes a paper, writes down the names of a number of employees of his own choice and submits it to the Regional Commissioner and says, "yes, here is the board". We know it from our own personal experience. We work in jute unions—not only I but the representatives of the I. N. T. U. C. He also agreed with me that in no jute factory or engineering factory, at least in West Bengal, there exist any board of trustees in the real sense of the term.

As regards its working, no meeting is held. Whatever proposals are there, the manager or whoever may be there, writes down the proposal on a paper and gets it signed by those so-called members and sends it to the Regional Commissioner. The chairman of the board and the Central Regional Commissioner have to admit "Yes, about jute factories the condition is very bad and really the board of trustees do not function, really in the majority of factories there is no board of trustees". He admitted it and he promised to enquire into the matter. We simply said: you please enquire into these matters, you please enquire whether this condition is being fulfilled or not. So this is the position. The bigger the employer the stronger he is for getting exemption, because the big employer feels quite confident that he will be in a position to do away with all the conditions of exemption and go his own way and befool not only the Government but also the workers.

Therefore, in this amending Bill the points I have mentioned about exemption really worry us. We feel that by these points Government want to make the field of exemption wider so that the employer can go his own way and the employees will suffer. Sir, these are very vital things. Particularly, the most dangerous clause is that which provides that any factory can be exempted on financial grounds If the factories that come under this Act, that have their own Provident Fund scheme can usse the scheme and ignore these conditions, any factory can apply for exemption and it could have no provident fund at all and it will be very easy for the employers to completely topsy-turvy the scheme and deprive the workers of this benefit. We do not know how many employers are preparing grounds for applying to the Government for getting exemption on financial grounds. We do not object to exemption on financial grounds if really a factory is in a very bad position. But why should the workers be punished in that way. Why should not the minimum obligation that the employers have to discharge to the workers by way of giving provident fund benefit be made compulsory? There may be financial difficulties. In cases of financial difficulties, Government should come forward to pay from its own fund the provident fund benefits or the Government must make such arrangements so that the financial difficulties of the factories are removed, and the poor workers are not deprived of their benefit. Our point is this. The provident fund benefit is the very minimum obligation that the employer has to discharge to the employees. Why should not this be made compulsory? Why should exemption be given in this case also? Therefore, Sir, when such a vital thing is being done, we have reason to suspect that the entire Government policy about this provident fund is something very dangerous, and that it does not serve the interest of the workers, but only serves the interests of the employers.

I do not want to take much of the time of the House. I will speak in detail in connection with the amendments. The only thing that I wish to say in conclusion is this. We expected that the Government would come with an amendment so as to serve the interests of the workers; we expected that the scope of the Bill would be widened and extended to all factories. We expected that Government factories would not be exempted and that they would also come within the fold of this scheme; we expected that the claim on the employers' contribution should be made more liberal than that is in the central scheme. Under the Government provident fund scheme, the employee will not able to get the full employer's contribution unless he serves for 25 years. As you know, Sir, in the case of a very large number of offices and other concerns, that particular provision is much better than the provisions that the Government have laid down here. In some cases, even with 10 years' service, the employee gets the benefit of full employer's contribution. Even with 15 years service, the employees will get the full employer's contribution.

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The Government have made provisions here in such a way that the employees will not get full employers' contribution unless they have served for 25 years. As we know, many tribunal awards also have given the employees such benefits. That is much better than the provision that the Government have made here. We expected that all these difficulties in the implementation of this scheme will be removed so that the employee's grievances may be met, so that the persistent demand of the different Central Labour organisations may be met and the co-operation by way of consultation and participating in Boards and Committees may be recognised.

Shri Gidwani (Thana): I do not think we have the quorum, Sir,

Shri Tushar Chatterjea: We expected that the Government will respect this attitude of the different Central Labour organisations. If at all the Government accepted to amend this law, it should go to improve the original Act. But, here, it goes not to improve the Act, but to make it worse. As I said at the very beginning, it is true that there are some provisions removing certain administrative difficulties. But, these good provisions are overrun by these dangerous provisions. Therefore, my criticism is this. These dangerous provisions should be removed and the Bill should be so amended as to serve the workers' interests.

Mr. Chairman: Shri K. P. Tripathi.

Some Hon. Members: No quorum, Sir

Mr. Chairman: Forty seven Members are there. Others are coming. We shall wait.

Shri K. K. Basu (Diamond Harbour): Others may be taken as present. They may come and go. Let us continue.

Mr. Chairman: Others are coming in. There is quorum.

Some Hon. Members: The bell may be rung.

Mr. Chairman: There is quorum. Shri K. P. Tripathi may go on.

Shri K. P. Tripathi (Darrang): The scope of the Bill is obviously very limited. As I understand from the Mover, it seems to be intended to give effect to the administrative experience in the functioning of the Act during the last one year. Therefore, no change of substance has been made in the Act. Possibly it was thought that one year was too small time to find out whether further substantial changes may be made in the law.

When that measure was moved and passed at the time of the previous Labour Minister, an undertaking was given to the House that as experience increases, an attempt would be made to expand the scope as well as the Schedule of the law. On the other hand, I find no attempt has been made either to expand the scope of the law or to extend the Schedule. On the contrary, it has been proposed that in the beginning of the Schedule in the first line, the word 'production' be deleted. The first line reads as follows: "......engaged in the manufacture or production of ...". Obviously, manufacture and production are two types of functions carried on, and between them, they cover a large number of workers that what the word 'manufacture' only would do. Therefore, instead of this Bill expanding the scope of the Act, as was undertaken on the floor of the House, there is a direct attempt to reduce the scope of the Act. This is very unfortunate. I have tried to understand how this would improve the position of the worker. I have not been able to find any logical reason. I hoped that the hon. Minister would be able to give us some convincing reason as to why it is proposed to be deleted. I had thought that the Government would come forward with an amendment taking power in its own hands so that whenever they find it necessary, they could extend it to other industries also. Instead of that, there is a direct attempt to limit the scope of the Act which goes contrary to the undertaking given here on the floor of the

House. Why is it so, I do not understand.

As regards the Schedule, I find that the same schedule is adhered to.

6 P.M.

No attempt is made to expand it. One little attempt has been made to expand, *viz.*, by giving an Explanation Clause which explains electrical, mechanical and general engineering products. That is not really an expansion, but an attempt to interpret what these words mean, to interpret what was already included therein. I had thought that there would be a real attempt to expand the scope of the Act as well as the Schedule, particularly, as my friend has pointed out, the number of workers included is 8 lakhs plus 5 lakhs—8 lakhs in the exempted industriea and 5 lakhs in the non-exempted ones. So, that is only fraction of the entire labour force of the country. If it is aald that it is very difficult to expand this type of thing, I can understand it in the case of the Health Insurance Act which is for the protection of the labourer, because it needs hospitals to be expanded, doctors to be found and many adjustments to be made. But, in the case of Provident Fund, the same difficulties do not arise. Provident Fund is a centralised thing which is easier of administration than insurance in which you have to decentralise everything. Therefore, the pace with which the expansion of this Bill was envisaged was quicker than the pace at which the Health Insurance Bill could have been envisaged. Therefore, I had thought that at least in this Amending Bill there would be an attempt to take power in Government hands in order to later on include one after another the other industries here excluded.

The most unfortunate thing that happens about labour legislation is that somehow or other industry is regarded as co-terminus with factories. That is not the case. Industry is a wider term than factories. The labour Department has the habit of thinking in terms of factories. Possibly it was initiated by the Factories Act. Therefore, whenever labour legislation is brought in, an attempt is made to legislate for the benefit of factories. A factory is one thing, and around the factory there are many peoole working for the same end, and therefore, as an industry, it is a far wider thing than the factory. It is for this reason that it is very dangerous to limit it merely to manufacture.

I find that leather goods, matches, petrol, transport, shipping, chemicals, mica, rubber, coffee, tea—all these industries are omitted. Why these should be omitted I do not know. Take for instance Tea. I was just reading the Rege Committee Report and I find that as far back as 1921 the Assam Labour Enquiry Committee reported that some provision should be made for superannuation benefit. It reads like this:

> "Some of the gardens give a pension of Rs. 3 to Rs. 5 per month to their Sardars. It is not usually given to old labourers who have to depend on their relatives ..."

Though the Assam Labour Enquiry Committee in 1921 had stated that the provision of superannuation benefit is a matter which might receive more attention, it has not received any serious attention in the Tea industry. Since 1921 so many years have passed, and it is clear that a very necessary thing is that some provision should be made. When I went to Cachar I found that the industry was giving Re. 1 per week at a time when it was regarded that Rs. 1/9 per day was the absolute minimum per worker. What happens is this. It is expected that labour should continuously starve and gradually die away quicker than they would otherwise have died. This is the inevitable corollary of this condition. All these people who want superannuation benefit and cannot work are given at the rate of Re. 1 per worker a day and they

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somehow carry on; if they have no work, there is nobody who could maintain them, and so they die quicker than they would otherwise have died. It is for this reason that it is very necessary that you should widen the scope of this legislation, and think in terms of industries rather than factories. If once you think of industries, you will find that this sort of mistake will not occur.

With regard to the suggestions made by my hon. friend Shri Tushar Chatterjea about exemptions, I find that there is reason why there should be exemptions, and it is this. In every Government enactment, it is the minimum which is provided for. Even in England, I found that in the case of those industries which had no large trade union organisations, it was the Government legislation which came in for the protection of labour. In the case of those industries, where there was sufficient trade unionism, it was not Government legislation that provided relief to the workers, but it was the trade union action which protected them, with the result that the workers could get more from the employers, than they would otherwise have got.

But here, in India, what do the labourers get? Here is a legislation intended to apply to different industries in different conditions, and it must needs speak therefore of the minimum relief. But we want that legislation which would provide for both contingencies. Firstly, there should be provision of a minimum guarantee, where no provision is made by the industry itself. If by any chance, the industry makes a provision which is better than this, then there should be provision for the workers to walk out of the Government's scheme, and have their own scheme.

Recently, we had an agreement in Assam, with the industry, in regard to another important matter. There were the ration concessions, and the employees had an agreement whereby they reduced the concessions to cash, at Rs. 60 a month. When this was done, they thought that it was a great bargain, but later on, it was found that in the north banks of the river there, the total value of these concessions enjoyed by the employees came to something more than Rs. 60 per month. So, the employees came forward, and said, no, 'we ere not going to agree to your new scheme, we must have the system which was there before. After a great deal of difficulty, we wriggled out of the situation, by making it a sort of personal allowance. In this way, whenever there is a scope for higher relief, exemptions should be granted for that purpose. Therefore, the provision in this Bill which says that there should be scope for industries to walk out of this scheme, if they provide for better conditions, should be there.

There is one statement of Shri Tushar Chatterjea, which seems to be rather very surprising. He said that although it is provided that there should be a joint petition by the workers and the employers, in fact, there has been no joint petition. He also added that even the several trade union leaders, including those of the INTUC, had made the same statement. If that be so, it is for the hon. Minister to find out whether and how far it is true. When we legislated, we not only provided for a joint petition, but we also said, that if by any means, it is bypassed...

Shri Abid Ali: He said 'manipulated joint petition'.

Shri K. P. Tripathi: If it is bypassed, then it should be found out.

I have had experience of these Works Committees, where a similar thing happens. The Works Committees were being set up by the employers themselves, although it was intended, under the letter of the law, that it should be dona by the workers. These Works Committees were utilised for the purpose of breaking the demands made by the trade unions. Such a thing is possible, here also.

I would request the hon. Minister to enquire into the matter and see whether it is a fact, and if it is a fact, to take steps to check that practice. The Bill itself contains some provisions to put an end to such happenings in the future. If any such thing has happened, in the past, then that person who has erred, should be found out, and steps should be taken to see that such things do not repeat in the future, and I hope it will be quite easy for the hon. Minister to find out a method by which a check can be exercised. I welcome this Bill. This is an administrative measure and it would improve the working. Those things which were found necesasry by experience have been incorporated in this and I support the Bill.

Shri Abid Ali: Sir, I was much pained to hear the remarks of Shri Chatterjea when he was referring to the manipulated applications. So far as we are concerned, Sir, every effort is being made to ascertain the real wishes of the workers. And, in case some workers have been duped, as the hon. Member has said, then we have ample powers to cancel the exemption which has been given to the factories in which the workers have been duped, as has been stated. In that case, Sir,—it has also been remarked by my hon. friend Shri Tripathi—I may request the representatives of such workers to bring to our notice such cases immediately; and, I assure them that if on investigation I find that the exemption has been given against the wishes of the workers concerned, such exemptions would be cancelled forthwith.

Sir, I also find that exemption itself has been misunderstood. Exemption does not mean exemption completely from the operation of the Act. It means that if the workers feel that they should have their own schemes managed locally, they are at liberty to make an application to the Regional Commissioner. As I have said earlier, if he finds on scrutiny that these schemes are on par with the scheme which is discussed here and the intention of a substantial number of workers is that the scheme should be managed locally, he submits his report to the State Government. The State Government also, after being satisfied that the scheme should be worked locally, send their report to the Central Government. After that only action is taken by issuing a notification exempting that particular factory from the direct operation under the Act. It does not mean that the workers of such factories or the employers have been completely exonerated or exempted and there will be no provident fund scheme for such workers. The exemption here only means that it is exemption from the direct control by the appropriate Commissioner and nothing else.

Sir, one hon. Member said that jute mills, big textiles and the engineering industries have been completely exempted. I doubt if all these have been completely exempted. As I have already said, if the workers are not satisfied with the exemption in these cases, we are here to help them.

About the remarks that this Bill has been brought forward to help the employers, Sir, there could be nothing more uncharitable than that. The hon. Member himself has been saying that there are loopholes in the Act which help the employers to get out from its operation. As I have already explained in my opening remarks, this small Bill has been brought forward with a view to remove those loopholes and tighten the scheme so that it may not be possible for the employers to get out from the operation of the Act and also with a view to ensure speedy implementation and also to avoid litigation which some of the employers are indulging in.

[Shri Abid Ali]

Sir, with regard to the Board of Trustees, So far as my information goes, almost all important decisions have been unanimous in the Board in which the representatives of the workers are also participating. With regard to this particular Bill also, Sir, we consulted the members of the Board and the suggestions sent by some of them were given due consideration, but most of them said that they would send their remarks subsequently. Ten days' time was given to send in their objections, if any, but they did not choose to communicate to us anything and that is not our fault. We are prepared to seek their co-operation and request them to help us, but if they choose not to be helpful, it is their pleasure. I am very glad that the object of the Bill has been appreciated. I assure the hon. Member opposite that all this is being done with the intention of helping the workers and the workers are aware that we are anxious to remove their difficulties. With regard to the particular item which my hon. friend there has objected to—about the joint application for total exemption—as I have submitted earlier, whenever we are satisfied as to the choice between closing of a factory or allowing a factory to continue without Provident Fund, everyone will agree that certainly the factory should continue in preference to closing without imposing contribution towards this Scheme. This necessity has been very much appreciated by the workers' representatives themselves. I do not know why the hon. Member there has not been able to read in this Amending Bill that if the majority of the workers desire that the factory should continue and that it should be exempted from the operation of the Provident Fund Act, they have to submit an application to that effect. It will be scrutinised by the Regional Commissioner, by the Provident Fund Commissioner and then by the Government of India.

Shri K. K. Desai: Temporary exemption or permanent?

Shri Abid Ali: As long as it may be necessary. It will also be open to the workers to apply later that the exemption should be cancelled. In that case it will be cancelled. Having said this, I am sure the hon. Member, who has objected, will appreciate the necessity of this particular section, which is not for obliging any employer but it has been brought forward with a view to allow the working of the factory and not its closing because of the imposition of the requirements of the Provident Fund Scheme. With these remarks, I request the House to pass the Bill which has been moved.

Mr. Chairman: The question is:

> "That the Bill to amend the Employees' Provident Funds Act, 1952, as passed by the Council of States, be taken into consideration."

The motion was adopted.

Mr. Chairman: Now let us take up the clauses.

Clause 2.— (*Amendments*)

Mr. Chairman: There is only one amendment which is out of order. The question is:

> "That clause 2 stand part of the Bill"

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 3 to 10 were added to the Bill.

Clause 11.— (*Amendment of section 13*)

Shri T. B. Vittal Rao (Khammam): Sir, I have my amendment No. 5.

Mr Chairman: I am very sorry. This amendment is out of order.

The question is:

> "That clause 11 stand part of the Bill"

The motion was adopted.

Clause 11 *was added to the Bill.*

Clause 12 *was added to the Bill.*

Clause 13 *was added to the Bill.*

Clause 14 *was added to the Bill.*

Clause 15.—(*Amendment of section* 16)

Shri T. B. Vittal Rao: I move amendment No. 8.

Mr. Chairman: I am very sorry. This is again out of order. He has to justify the amendment. It is outside the scope of the Bill. He may read his amendment. Whatever he wants to get done cannot be done so far as this Bill is concerned. It is outside the scope of this Bill. If he wants to justify his amendment, then, I would like to hear.

Mr. Chairman: The question is:

> "That clause 15 stand part of the Bill."

The motion was adopted.

Clause 15 *was added to the Bill.*

Clause 16.—(*Substitution of new section*)

Shri Tushar Chatterjea: I beg to move:

> In page 6, line 11, *for* "not less favourable" *substitute* "more favourable."

The point is, as I already said, in the original Act, in this section, the condition for exemption was this: that the rate of contribution should be in conformity with or be more favourable than the central scheme. That was the condition for exemption. In this amending Bill, in the place of "more favourable", "not less favourable" has been put in. Now, as I said, this putting in of "not less favourable" in the place of "more favourable" means what? It means allowing that factory or employer to have a provident fund scheme that does not in any way give any special concession to the employee. Now, the question of exemption can come in rightly in such cases where the employee gets some more payment than under the Central Government's scheme. If there is no point in the employee's getting some better benefit than in the central scheme, then, why should the question of exemption come at all? Exemption can come only in the interests of the workers. So it can come in only in such cases where the provident funds scheme gives some better concession or some better favour than the central scheme, to the workers. Here, by changing "more favourable" to "not less favourable," the position has been altered. That is, a factory which has been not more favourable than the Government scheme is also exempted. I do not understand what exemption means in such cases. Exemption means only in the interests of the workers. The interests of the workers are not served by putting in "not less favourable" in the place of "more favourable." Therefore, my amendment is to substitute "more favourable" in the place of "not less favourable."

Mr. Chairman: I would request the hon. Member to move his other amendments also.

Shri Tushar Chatterjea: I beg to move:

> In page 6, line 13, *for* "not less favourable" *substitute* "more favourable".
>
> In page 6, line 21, *for* "not less favourable" *substitute* "more favourable"
>
> In page 6, *after* line 23, *add*—
>
> "Provided that the appropriate Government has ascertained the opinion of the majority of such employees before arriving at the opinion."
>
> (i) In page 6, *for* lines 39 to 46, *substitute*—
>
> "(c) any person or class of persons employed in any factory to

[Shri Tushar Chatterjea]

which the Scheme applies, if such person or class or persons is entitled to benefits in the nature of provident fund, gratuity or old age pensions and such benefits, separately or jointly, are on the whole not less favourable than the benefit provided under this Act or the Scheme:"; and

(ii) in page 7, line 1, *for* "(3)" *substitute* "(2)".

In page 6, line 45, *for* "not less favourable" *substitute* "more favourable".

In regard to my amendments No. 10, 11 and 12 I have sought to substitute the words "more favourable" for the words "not less favourable". I have already spoken on this.

In my amendment No. 14 (i) I have suggested the substitution of lines 39 to 46 by a new sub-clause (c). Section 17(2) has been put in such a way that the proviso in 17(1) "subject to such conditions as may be specified in the notification" is sought to be removed from this. That means in such cases where a person or class of persons seek exemption, there will not be any condition for such exemption. In the original Act exemptions were provided for subject to certain conditions. That means a person or class of persons can get exemption without abiding by the conditions formulated by the Board of Trustees. Even if an employer does not care to implement the conditions, even if the employer puts hardships on his individual employees or class of employees, there is no protection for the employee. My suggestion is that the whole section should be rewritten in such a manner that Section 17(2) is made subject to conditions made in the previous subsection.

That is all I have to say.

Mr. Chairman: I have to make an announcement before the House adjourns.

Instead of item 3 in the List of Business, item 4 will be taken up tomorrow after this Bill is finished; that is, the Bill further to amend the Banking Companies Act will be taken up after the debate on this Bill is over, instead of the Ancient Monuments (Amendment) Bill.

Now I will place the amendments moved before the House. Amendments moved:

In page 6, line 11, *for* "not less favourable" *substitute* "more favourable".

In page 6, line 13 *for* "not less favourable" *substitute* "more favourable".

In page 6, line 21, *for* "not less favourable" *substitute* "more favourable"

In page 6, *after* line 23, *add*—

> "Provided that the appropriate Government has ascertained the opinion of the majority of such employees before arriving at the opinion."

(i) In page 6, *for* lines 39 to 46, *substitute*—

> "(c) any person or class of persons employed in any factory to which the Scheme applies, if such person or class or persons is entitled to benefits in the nature of provident fund, gratuity or old age pensions and such benefits, separately or jointly, are on the whole not less favourable than the benefit provided under this Act or the Scheme:"; and

(ii) in page 7, line 1, *for* "(3)" *substitute* "(2)".

In page 6, line 45, *for* "not less favourable" *substitute* "more favourable".

The House stands adjourned till 1.30 P.M. tomorrow.

The House then adjourned till Half Past One of the Clock on Tuesday, the 1st December 1953.